

JOURNALS
OF THE
House of Representatives
OF
ALABAMA
ORGANIZATIONAL SESSION OF 1947
EXTRAORDINARY SESSIONS OF 1947
REGULAR SESSION OF 1947



Vol. 1

**WITH INDICES PREPARED BY THE
CLERK OF THE HOUSE**

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1948

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STATE of ALABAMA

JOURNAL
OF THE
House of Representatives
OF
ALABAMA

ORGANIZATIONAL SESSION OF 1947

**HELD IN THE CITY OF MONTGOMERY, COMMENCING
TUESDAY, JANUARY 14, 1947**



**WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE**

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
ALABAMA
ORGANIZATIONAL SESSION OF 1947

FIRST DAY

State Capitol of Alabama,
Montgomery, Tuesday, January 14, 1947.

JOURNAL

of the House of Representatives of the State of Alabama, of the Organizational Session of 1947, begun and held at the Capitol in the City of Montgomery, State of Alabama, on the second Tuesday in January, 1947, being the fourteenth day of the month in the Year of Our Lord One Thousand Nine Hundred and Forty-Seven, at 12 o'clock, M., on which day, the day fixed by law for the meeting of the Legislature of Alabama, the House was called to order by Hon. C. D. Norman, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by Dr. Donald MacGuire, pastor of the First Presbyterian Church, Montgomery, Alabama.

CERTIFICATE OF ELECTION

Department of State

* * *

I, Sibyl Pool, Secretary of State of the State of Alabama, do hereby certify that it appears from the returns of the election held on November 5, 1946, received in this department in accordance with law, that the following named persons were elected to the House of Representatives for a term of four years, from the respective counties as follows:

| | |
|--------------------------------|-------------------------|
| Autauga County | G. M. Taylor |
| Baldwin County | L. W. Brannan, Jr. |
| Barbour County—Place No. 1 | Sim A. Thomas |
| Barbour County—Place No. 2 | George C. Wallace |
| Bibb County | J. Fred Wood |
| Blount County | N. C. Denton |
| Bullock County—Place No. 1 | C. D. Norman |
| Bullock County—Place No. 2 | Willis L. McIlwain |
| Butler County—Place No. 1 | T. Werth Thagard |
| Butler County—Place No. 2 | Earl M. McGowin |
| Calhoun County—Place No. 1 | John W. Howell |
| Calhoun County—Place No. 2 | Tarvey W. Bennett |
| Chambers County—Place No. 1 | Roy W. McClendon |
| Chambers County—Place No. 2 | A. A. Still |
| Cherokee County | J. Monroe Mitchell |
| Chilton County | C. B. Cox |
| Choctaw County | Franklin C. Evans |
| Clarke County—Place No. 1 | John F. Gillis |
| Clarke County—Place No. 2 | Earl L. Tucker |
| Clay County | E. E. Nelson |
| Cleburne County | Pelham J. Merrill |
| Coffee County | H. B. Larkins |
| Colbert County | Paul Coburn |
| Conecuh County | James E. Nettles |
| Coosa County | Geo. B. McDonald |
| Covington County | S. R. White |
| Crenshaw County | Ira B. Thompson |
| Cullman County | E. L. Buckner |
| Dale County | Jesse B. Adams |
| Dallas County—Place No. 1 | Wm. P. Molette |
| Dallas County—Place No. 2 | Hunt Frazier |
| Dallas County—Place No. 3 | Walter C. Givhan |
| DeKalb County | W. M. Beck |
| Elmore County—Place No. 1 | Lee Hornsby |
| Elmore County—Place No. 2 | Harley M. Dobbs |
| Escambia County | Flournoy Lovelace |
| Etowah County—Place No. 1 | E. L. Roberts |
| Etowah County—Place No. 2 | Edward B. (Ed) Miller |
| Fayette County | Miles C. Dobbs |
| Franklin County | Frank L. Haynes |
| Geneva County | Roland R. Faulk |
| Greene County | W. L. Martin, Jr. |
| Hale County—Place No. 1 | H. A. Taylor |
| Hale County—Place No. 2 | Charles H. Ramey |
| Henry County—Place No. 1 | George T. Knight |
| Henry County—Place No. 2 | G. B. Mathison, Sr. |
| Houston County | Wallace D. Malone |
| Jackson County—Place No. 1 | John S. O'Neal |

| | |
|-------------------------------|---------------------------|
| Jackson County—Place No. 2 | John M. Snodgrass |
| Jefferson County | James G. Adams, Jr. |
| | William Henry Beatty |
| | Lawrence Dumas, Jr. |
| | Wallace Gibson |
| | Hugh Kaul |
| | J. Paul Meeks |
| | Will H. Sadler, Jr. |
| Lamar County | John F. Hankins |
| Lauderdale County—Place No. 1 | Mims Rogers |
| Lauderdale County—Place No. 2 | William A. (Bill) Barnett |
| Lawrence County | J. B. Richardson |
| Lee County—Place No. 1 | Roberts H. Brown |
| Lee County—Place No. 2 | D. D. Ward |
| Limestone County | Bunyan D. Broadwater |
| Lowndes County—Place No. 1 | Neil Robinson |
| Lowndes County—Place No. 2 | Pugh Haynes |
| Macon County | G. O. Bush |
| Madison County—Place No. 1 | T. Herman Vann |
| Madison County—Place No. 2 | William E. Davis |
| Marengo County—Place No. 1 | Z. P. Crocker, Jr. |
| Marengo County—Place No. 2 | Odie Bedford Whitcomb |
| Marion County | R. R. Wright |
| Marshall County | J. J. Benford |
| Mobile County—Place No. 1 | Thomas A. Johnston, III |
| Mobile County—Place No. 2 | George E. Stone, Jr. |
| Mobile County—Place No. 3 | Joseph C. Sullivan |
| Monroe County | W. W. Garrett |
| Montgomery County—Place No. 1 | S. B. Sightler |
| Montgomery County—Place No. 2 | Hubert E. Busby |
| Montgomery County—Place No. 3 | Luther Ingalls |
| Montgomery County—Place No. 4 | Charles M. Pinkston |
| Morgan County—Place No. 1 | Norman W. Harris |
| Morgan County—Place No. 2 | W. H. (Bill) Stewart |
| Perry County—Place No. 1 | D. K. Mason, Jr. |
| Perry County—Place No. 2 | John G. White |
| Pickens County | R. B. Doughty |
| Pike County—Place No. 1 | Ira Thompson |
| Pike County—Place No. 2 | Max Shirley |
| Randolph County | A. C. George |
| Russell County—Place No. 1 | B. L. Cole |
| Russell County—Place No. 2 | J. W. Brassell |
| Shelby County | Frank Head |
| St. Clair County | John W. Inzer, Jr. |
| Sumter County—Place No. 1 | John H. Pinson |
| Sumter County—Place No. 2 | Ira D. Pruitt |
| Talladega County—Place No. 1 | J. S. Ganey |
| Talladega County—Place No. 2 | G. Kyser Leonard |

Tallapoosa County—Place No. 1..... Lewis E. Sellers, Jr.
 Tallapoosa County—Place No. 2..... Cecil G. Duffee
 Tuscaloosa County—Place No. 1..... A. K. (Temo) Callahan
 Tuscaloosa County—Place No. 2..... J. P. Shelton
 Walker County—Place No. 1..... Chester M. Black
 Walker County—Place No. 2..... A. J. McDanal, Jr.
 Washington County..... J. Emmett Wood
 Wilcox County—Place No. 1..... E. T. Harrison
 Wilcox County—Place No. 2..... S. M. Cobb
 Winston County..... John B. Weaver

I do further certify that the certificate of election required by law to be furnished by me to the members of the House of Representatives has been mailed to each member shown to be elected by the returns of election made to this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery this the 10th day of January, 1947.

Sibyl Pool,
 Secretary of State.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|-------------------|--------------------------|
| Mr. Speaker | Dumas | McClendon | Sellers |
| Adams (Dale) | Evans | McDanal | Shelton |
| Adams (Jefferson) | Faulk | McDonald | Shirley |
| Barnett | Frasier | McGowin | Sightler |
| Beatty | Ganey | McIlwain | Snodgrass |
| Beck | Garrett | Malone | Stewart |
| Benford | George | Martin | Still |
| Bennett | Gibson | Mason | Stone |
| Black | Gillis | Mathison | Sullivan |
| Brauman | Givhan | Meeks | Taylor (Autauga) |
| Brassell | Hankins | Merrill | Taylor (Hale) |
| Broadwater | Harris | Miller | Thagard |
| Brown | Harrison | Mitchell | Thomas |
| Buckner | Haynes (Franklin) | Molette | Thompson (Crenshaw) |
| Busby | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Bush | Head | Nettles | Tucker |
| Callahan | Hornsby | O'Neal | Vann |
| Coburn | Howell | Pinkston | Wallace |
| Cole | Ingalls | Pinson | Ward |
| Cox | Inzer | Pruitt | Weaver |
| Crocker | Johnston | Ramey | Whitcomb |
| Davis | Nau | Richardson | White (Covington) |
| Denton | Knight | Roberts | White (Perry) |
| Dobbs (Fayette) | Larkins | Robinson | Wood (Bibb) |
| Doughty | Leonard | Rogers | Wood (Washington) |
| Duffee | Lovelace | Sadler | Wright |

A quorum was present.

OATH OF OFFICE

The oath of office was administered to the above members by the Hon. Lucian D. Gardner, Chief Justice of the Supreme Court of Alabama.

ELECTION OF OFFICERS

The House then proceeded to the election of its permanent officers.

ELECTION OF SPEAKER

Mr. Snodgrass nominated Hon. W. M. Beck of DeKalb County for Speaker of the House, and those who voted for Mr. Beck are:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Doughty | Lovelace | Rogers |
| Adams (Dale) | Duffee | McClendon | Sadler |
| Adams (Jefferson) | Dumas | McDanal | Sellers |
| Barnett | Evans | McDonald | Shelton |
| Beatty | Faulk | McGowin | Shirley |
| Beck | Frasier | McIlwain | Sightler |
| Benford | Ganey | Malone | Snodgrass |
| Bennett | Garrett | Martin | Still |
| Black | Gibson | Mason | Stone |
| Brannan | Gillis | Mathison | Sullivan |
| Brassell | Givhan | Meeks | Taylor (Autauga) |
| Broadwater | Hankins | Merrill | Taylor (Hale) |
| Brown | Harrison | Miller | Thagard |
| Buckner | Haynes (Franklin) | Mitchell | Thompson (Pike) |
| Busby | Haynes (Lowndes) | Molette | Tucker |
| Bush | Head | Nelson | Vann |
| Callahan | Hornsby | Nettles | Wallace |
| Coburn | Howell | O'Neal | Ward |
| Cole | Ingalls | Pinkston | Weaver |
| Cox | Inzer | Pinson | White (Covington) |
| Crocker | Johnston | Pruitt | White (Perry) |
| Davis | Kaul | Richardson | Wood (Bibb) |
| Denton | Knight | Roberts | Wood (Washington) |
| Dobbs (Fayette) | Leonard | Robinson | Wright |

96

Mr. Beck, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Speaker of the House of Representatives, for the term prescribed by law.

RESOLUTION

The following resolution was introduced:

By Mr. Thompson of Crenshaw:

H.R. 1. BE IT RESOLVED that a committee of three members be appointed by the presiding officer of the House of Representatives to notify Hon. W. M. Beck of his election as Speaker and to escort him to the chair.

On motion of Mr. Thompson the rules were suspended and the resolution was adopted.

The Speaker named as the committee under the above resolution: Messrs. Snodgrass, Roberts and Adams of Jefferson.

Hon. W. M. Beck appeared and the oath of office was administered to him by Hon. C. D. Norman, Speaker of the House.

ELECTION OF CLERK

Mr. Thompson of Crenshaw nominated Hon. R. T. Goodwyn, Jr. of Montgomery, for Clerk of the House and those who voted for Mr. Goodwyn are:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Garrett | McIlwain | Shelton |
| Adams (Jefferson) | George | Malone | Shirley |
| Beatty | Gibson | Martin | Sightler |
| Black | Gillis | Mason | Snodgrass |
| Brannan | Givhan | Mathison | Still |
| Brassell | Hankins | Meeks | Stone |
| Broadwater | Harrison | Merrill | Sullivan |
| Brown | Haynes (Franklin) | Miller | Taylor (Autauga) |
| Buckner | Haynes (Lowndes) | Mitchell | Taylor (Hale) |
| Busby | Head | Molette | Thagard |
| Bush | Hornsby | Nelson | Thomas |
| Callahan | Howell | Nettles | Thompson (Crenshaw) |
| Coburn | Ingalls | Norman | Thompson (Pike) |
| Cole | Inzer | O'Neal | Tucker |
| Cox | Johnston | Pinkston | Vann |
| Crocker | Kaul | Pinson | Wallace |
| Davis | Knight | Pruitt | Ward |
| Denton | Larkins | Ramey | Weaver |
| Dobbs (Fayette) | Leonard | Richardson | Whitcomb |
| Doughty | Lovell | Roberts | White (Covington) |
| Duffee | McClendon | Robinson | White (Perry) |
| Dumas | McDanal | Rogers | Wood (Bibb) |
| Evans | McDonald | Sadler | Wood (Washington) |
| Faulk | McGowin | Sellers | Wright |
| Ganey | | | |

97

Mr. Goodwyn having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Clerk of the House of Representatives, for the term prescribed by law.

ELECTION OF ASSISTANT CLERK

Mr. Thompson of Crenshaw, nominated Hon. J. F. Campbell, of Cleburne, for Assistant Clerk of the House, and those who voted for Mr. Campbell are:

| | | | |
|-------------------|------------|---------|-----------------|
| Mr. Speaker | Broadwater | Coburn | Dobbs (Fayette) |
| Adams (Jefferson) | Brown | Cole | Doughty |
| Beatty | Buckner | Cox | Duffee |
| Black | Busby | Crocker | Dumas |
| Brannan | Bush | Davis | Evans |
| Brassell | Callahan | Denton | Faulk |

| | | | |
|-------------------|-----------|------------|---------------------|
| Ganey | Leonard | Norman | Sullivan |
| Garrett | Lovelace | O'Neal | Taylor (Autauga) |
| George | McClendon | Pinkston | Taylor (Hale) |
| Gibson | McDanal | Pinson | Thagard |
| Gillis | McDonald | Pruitt | Thomas |
| Givhan | McGowin | Ramey | Thompson (Crenshaw) |
| Hankins | McIlwain | Richardson | Thompson (Pike) |
| Harrison | Malone | Roberts | Tucker |
| Haynes (Franklin) | Martin | Robinson | Vann |
| Haynes (Lowndes) | Mason | Rogers | Wallace |
| Head | Mathison | Sadler | Ward |
| Hornsby | Meeks | Sellers | Weaver |
| Howell | Merrill | Shelton | Whitcomb |
| Ingalls | Miller | Shirley | White (Covington) |
| Inzer | Mitchell | Sightler | White (Perry) |
| Johnston | Molette | Snodgrass | Wood (Bibb) |
| Kaul | Nelson | Still | Wood (Washington) |
| Knight | Nettles | Stone | Wright |
| Larkins | | | |

97

Mr. Campbell having received all of the votes cast, was declared duly and constitutionally elected Assistant Clerk of the House, for the term prescribed by law.

ELECTION OF ENGROSSING AND ENROLLING CLERK

Mr. Thompson of Crenshaw, nominated Hon. J. W. Kirtland, of Montgomery, for Engrossing and Enrolling Clerk of the House and those who voted for Mr. Kirtland are:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Garrett | McIlwain | Shelton |
| Adams (Jefferson) | George | Malone | Shirley |
| Beatty | Gibson | Martin | Sightler |
| Black | Gillis | Mason | Snodgrass |
| Brannan | Givhan | Mathison | Still |
| Brassell | Hankins | Meeks | Stone |
| Broadwater | Harrison | Merrill | Sullivan |
| Brown | Haynes (Franklin) | Miller | Taylor (Autauga) |
| Buckner | Haynes (Lowndes) | Mitchell | Taylor (Hale) |
| Busby | Head | Molette | Thagard |
| Bush | Hornsby | Nelson | Thomas |
| Callahan | Howell | Nettles | Thompson (Crenshaw) |
| Coburn | Ingalls | Norman | Thompson (Pike) |
| Cole | Inzer | O'Neal | Tucker |
| Cox | Johnston | Pinkston | Vann |
| Crocker | Kaul | Pinson | Wallace |
| Davis | Knight | Pruitt | Ward |
| Denton | Larkins | Ramey | Weaver |
| Dobbs (Fayette) | Leonard | Richardson | Whitcomb |
| Doughty | Lovelace | Roberts | White (Covington) |
| Duffee | McClendon | Robinson | White (Perry) |
| Dumas | McDanal | Rogers | Wood (Bibb) |
| Evans | McDonald | Sadler | Wood (Washington) |
| Faulk | McGowin | Sellers | Wright |
| Ganey | | | |

97

Mr. Kirtland having received all of the votes cast, was declared duly and constitutionally elected Engrossing and Enrolling Clerk of the House, for the term prescribed by law.

ELECTION OF DOORKEEPER

Mr. Thompson of Crenshaw, nominated Hon. W. H. Barnard, of Jefferson, for Doorkeeper of the House, and those who voted for Mr. Barnard are:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Garrett | McIlwain | Shelton |
| Adams (Jefferson) | George | Malone | Shirley |
| Beatty | Gibson | Martin | Sightler |
| Black | Gillis | Mason | Snodgrass |
| Brannan | Givhan | Mathison | Still |
| Brassell | Hankins | Meeks | Stone |
| Broadwater | Harrison | Merrill | Sullivan |
| Brown | Haynes (Franklin) | Miller | Taylor (Autauga) |
| Buckner | Haynes (Lowndes) | Mitchell | Taylor (Hale) |
| Busby | Head | Molette | Thagard |
| Bush | Hornsby | Nelson | Thomas |
| Callahan | Howell | Nettles | Thompson (Crenshaw) |
| Coburn | Ingalls | Norman | Thompson (Pike) |
| Cole | Inzer | O'Neal | Tucker |
| Cox | Johnston | Pinkston | Vann |
| Crocker | Kaul | Pinson | Wallace |
| Davis | Knight | Pruitt | Ward |
| Denton | Larkins | Ramey | Weaver |
| Dobbs (Fayette) | Leonard | Richardson | Whitcomb |
| Doughty | Lovelace | Roberts | White (Covington) |
| Duffee | McClendon | Robinson | White (Perry) |
| Dumas | McDanal | Rogers | Wood (Bibb) |
| Evans | McDonald | Sadler | Wood (Washington) |
| Faulk | McGowin | Sellers | Wright |
| Ganey | | | |

97

Mr. Barnard having received all of the votes cast was declared duly and constitutionally elected Doorkeeper of the House, for the term prescribed by law.

ELECTION OF ASSISTANT DOORKEEPER

Mr. Thompson of Crenshaw, nominated Hon. W. M. Blackwell, of Montgomery, for Assistant Doorkeeper of the House, and those who voted for Mr. Blackwell are:

| | | | |
|-------------------|-----------------|-------------------|----------|
| Mr. Speaker | Davis | Haynes (Franklin) | McGowin |
| Adams (Jefferson) | Denton | Haynes (Lowndes) | McIlwain |
| Beatty | Dobbs (Fayette) | Head | Malone |
| Black | Doughty | Hornsby | Martin |
| Brannan | Duffee | Howell | Mason |
| Brassell | Dumas | Ingalls | Mathison |
| Broadwater | Evans | Inzer | Meeks |
| Brown | Faulk | Johnston | Merrill |
| Buckner | Ganey | Kaul | Miller |
| Busby | Garrett | Knight | Mitchell |
| Bush | George | Larkins | Molette |
| Callahan | Gibson | Leonard | Nelson |
| Coburn | Gillis | Lovelace | Nettles |
| Cole | Givhan | McClendon | Norman |
| Cox | Hankins | McDanal | O'Neal |
| Crocker | Harrison | McDonald | Pinkston |

| | | | |
|------------|------------------|---------------------|-------------------|
| Pinson | Shelton | Taylor (Hale) | Ward |
| Pruitt | Shirley | Thagard | Weaver |
| Ramey | Sightler | Thomas | Whitcomb |
| Richardson | Snodgrass | Thompson (Crenshaw) | White (Covington) |
| Roberts | Still | Thompson (Pike) | White (Perry) |
| Robinson | Stone | Tucker | Wood (Bibb) |
| Rogers | Sullivan | Vann | Wood (Washington) |
| Sadler | Taylor (Autauga) | Wallace | Wright |
| Sellers | | | |

97

Mr. Blackwell having received all of the votes cast, was declared duly and constitutionally elected Assistant Doorkeeper of the House, for the term prescribed by law.

OFFICERS SWORN IN

Messrs. R. T. Goodwyn, Jr., J. F. Campbell, J. W. Kirtland, W. H. Barnard and W. M. Blackwell, the subordinate officers of the House, appeared and the oath of office was administered to them by Hon. W. M. Beck, Speaker of the House.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Snodgrass:

H.R. 2. BE IT RESOLVED that the Rules of the House of Representatives of the 1945 Session of the Legislature of Alabama be and they are hereby adopted as the Rules of this House until the Committee on Rules shall report the Rules of the House.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

By Mr. Snodgrass:

H.R. 3. BE IT RESOLVED that the Clerk of the House of Representatives inform the Senate of Alabama that the House of Representatives has perfected its permanent organization and elected its permanent officers and is now ready for transaction of business.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

By Mr. Snodgrass:

H.J.R. 4. BE IT RESOLVED by the House, the Senate concurring, that a committee of five, consisting of two members on the part of the Senate to be appointed by the presiding officer of the Senate, and three members on the part of the House to be appointed by the Speaker of the House, be named to wait upon the Governor of Alabama, and inform him of the organization of the Legislature of Alabama, and its readiness to transact business.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

And the Speaker named as a committee on the part of the House: Messrs. Stone, McGowin and Snodgrass.

By Mr. Snodgrass:

H.J.R. 5. BE IT RESOLVED by the House, the Senate concurring, that a joint committee be named consisting of two from the Senate, to be named by the presiding officer of the Senate, and three from the house, to be named by the speaker of the House, to invite the Governor-elect of Alabama, the Honorable James E. Folsom, and the Lieutenant Governor-elect, the Honorable J. C. Inzer, to sit with the Legislature at its joint session to receive the Message of the Governor.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

And the Speaker named as a Committee on the part of the House: Messrs. Stone, McGowin and Snodgrass.

By Mr. Snodgrass:

H.R. 6. BE IT RESOLVED by the House that a Committee consisting of nine members of the House, one from each Congressional District, be appointed by the Speaker of the House to assign seats to the several members of the House.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

And the Speaker named as the Committee: Messrs. Evans, Pinkston, Brown, Cox, Miller, Barnett, Adams of Jefferson, Shelton, and McDanal.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am instructed by the Senate to notify the House that the Senate has perfected its organization by the election of the following officers:

Hon. J. Bruce Henderson, President Pro Tem of the Senate

Hon. J. E. Speight, Secretary of Senate

Hon. T. L. Austin, Assistant Secy of Senate

Hon. H. A. Thompson, Enrolling and Engrossing Clerk

Hon. J. C. Watkins, Doorkeeper

Hon. M. R. Norman, Asst. Doorkeeper.

And is now ready for the transaction of business.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following joint resolution and sends same herewith to the House for its consideration:

By Mr. Henderson:

S.J.R. 1. BE IT RESOLVED by the Senate, the House of Representatives concurring, that a joint session of the House and Senate be held at 3 o'clock today for the purpose of hearing the message of the Honorable Chauncey Sparks, Governor of Alabama.

RESOLVED FURTHER, that a committee of three from the House, to be appointed by the Speaker of the House, and a committee of three from the Senate, to be appointed by presiding officer of the Senate, be named to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message.

Messrs. Henderson, Glover and Gulledge were appointed as committee on part of the Senate.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the S.J.R. 1 set out in the above and foregoing message from the Senate was concurred in and adopted.

And the Speaker named as a Committee on the part of the House: Messrs. Stone, McGowin and Snodgrass.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution, and returns same herewith to the House:

H.J.R. 4. Relative to appointing committees to inform His Excellency the Governor of the organization of Legislature and readiness to transact business.

And the President and Presiding Officer of the Senate appointed as committee on part of the Senate Messrs. Henderson, Cater and Clayton.

J. E. Speight,
Secretary.

RECESS

On motion of Mr. McGowin the House recessed until three o'clock this afternoon.

AFTERNOON SESSION

The hour of three o'clock, P.M., having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution, and returns same herewith to the House:

H.J.R. 5. Relative to appointing committee to invite Governor-elect, Honorable James E. Folsom, and Lieutenant Governor-elect, Honorable J. C. Inzer to sit with the Legislature at its joint session to receive the Message of the Governor.

The President and Presiding Officer appointed as Committee on part of the Senate Messrs. Henderson, Cater and Clayton.

J. E. Speight,
Secretary.

APPOINTMENT OF STANDING COMMITTEE
ON REVISION OF THE JOURNAL

The Speaker of the House announced the appointment of Standing Committee on Revision of the Journal: Messrs. Shelton, Chairman, Howell and Sightler.

JOINT SESSION

The hour of three o'clock having arrived and in accordance with S.J.R. 1, the Senate and House met in the Hall of the House.

ROLL CALL

The Lieutenant Governor and presiding officer of the Senate directed the Secretary of the Senate to call the roll of the Senate and the following Senators answered to their names:

| | | | |
|----------|-----------|----------|-----------|
| Messrs.: | Cooper | Hooton | Owens |
| Allen | Fite | Howle | Patterson |
| Barrett | Gaither | Hughes | Patton |
| Boutwell | Glover | Kendall | Perry |
| Bridges | Golson | Kimbrell | Quarles |
| Burnside | Gulledge | Lamberth | Russell |
| Cater | Hardwich | Langan | Summerlin |
| Clayton | Harvey | Lowe | Switt |
| Coleman | Henderson | Mize | Wright |

35

The Lieutenant Governor announced a quorum of the Senate present.

The Speaker of the House directed the Clerk of the House to call the roll of the House, and the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Evans | McDanal | Shelton |
| Adams (Dale) | Faulk | McDonald | Shirley |
| Adams (Jefferson) | Frasier | McGowin | Sightler |
| Barnett | Ganey | McIlwain | Snodgrass |
| Beatty | Garrett | Malone | Stewart |
| Benford | George | Martin | Stone |
| Bennett | Gibson | Mason | Sullivan |
| Black | Gillis | Mathison | Taylor (Autauga) |
| Brannan | Givhan | Meeks | Taylor (Hale) |
| Brassell | Hankins | Merrill | Thagard |
| Broadwater | Harris | Miller | Thomas |
| Brown | Harrison | Mitchell | Thompson (Crenshaw) |
| Busby | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Bush | Haynes (Lowndes) | Nettles | Tucker |
| Callahan | Head | Norman | Vann |
| Coburn | Hornsby | O'Neal | Wallace |
| Cole | Howell | Pinkston | Ward |
| Cox | Ingalls | Pinson | Weaver |
| Crocker | Inzer | Richardson | Whitcomb |
| Davis | Johnston | Roberts | White (Covington) |
| Denton | Kaul | Robinson | White (Perry) |
| Dobbs (Fayette) | Knight | Rogers | Wood (Bibb) |
| Doughty | Leonard | Sadler | Wood (Washington) |
| Duffee | Lovelace | Sellers | Wright |
| Dumas | McClendon | | |

98

The Speaker of the House announced a quorum of the House present.

GOVERNOR'S MESSAGE

His Excellency, Chauncey Sparks, Governor of the State of Alabama, appeared before the joint session and delivered in person, the following message:

To the Senate and the House of Representatives:

The Constitution requires that the Governor shall "at the close of his term of office give information by written message of the condition of the State." In delivering this message to you, I am undertaking to carry out that mandate. It would be ill befitting to make recommendations for your consideration and future legislation. That is a matter for the gentleman who will follow me in office.

The condition of the State as I retire from office involves many considerations. They might be named as the condition of our people; their attitude towards problems facing them, their government and nation; the condition of business, of investments, of agriculture; and the general activities of the State Government during the last four years which tend to improve all of these things.

For more than two and one-half of the last four years, our nation has been engaged in actual combat. Our people in Alabama were

responding to the call to fight and to make materials for fighting. It was to be expected that our economy and social condition as well as governmental activities would be more or less confused and disturbed. It is to the everlasting credit of the people of Alabama that, regardless of this apparent confusion and disturbance, they went about their daily tasks in the most patriotic manner and accomplished them in every detail. More could not have been asked of our people. They did their duty well and made a large contribution to the ultimate victory of the Allies.

Following such a condition and such an excited life there must be a period of reconversion which holds uncertainties and perhaps difficulties. So far we have not experienced any of these except in a recession in employment, which was perhaps inevitable. This now is adjusting itself apparently on a high level, much higher than it was prior to the war.

I think, therefore, it can be truthfully said that our people are reasonably well employed; that unemployment is due largely to shifting from one character of work to another and from stoppage of war activities which have not merged into our peacetime employment and not to any chronic condition; that our bank deposits are at the highest, having been on June 29, 1946, \$1,236,230,652.72; that our savings accounts are larger and more numerous than ever before; that our agricultural income for the calendar year, 1945, was \$268,534,000.; that our State Government has been adequately supported on a high level of service in all of the activities in which it engages; and that, in general, our internal condition is good in whatever way it may be observed.

It has been my practice to make a printed report to the people every two years. These reports have been generally distributed throughout the State. They contain a summary of the activities of State Government for the two years preceding, including financial statistics. In addition, departmental reports, as required by law, are or soon will be available.

There are certain particular phases of government activities which perhaps need emphasizing, and I trust I shall not be considered boastful when I reiterate somewhat, but in brief, the things that have been done for the major activities of our State.

AGRICULTURE

Every phase of agricultural life has been studied and many have been improved or emphasized to the point of receiving public favorable recognition. Research, experiment, marketing, preparation for marketing, regional development, livestock, poultry, dairy products, **fruits, and trucking have all been emphasized, and our people have** become conscious of the possibilities agriculturally of such things. Of course this took considerable money, but we have been fortunate in having available funds both from the Agricultural Department and from the General Fund to emphasize these activities and to aid

our people in an effort to integrate them with our total agricultural economy.

Not only have these things been emphasized, but the matter of better home life, better environment, better tenancy conditions, better agricultural facilities, and better transportation opportunities have likewise been emphasized. The State has begun a system of farm-to-market road construction long overdue. \$2,500,000. was set aside out of the surplus of the gasoline tax solely for this purpose and it is to be divided on an equal county unit basis. In addition, one cent of the State's three cents gasoline tax was dedicated to farm-to-market road construction on a matching basis with the county and Federal Government. It will not be long before we see a tremendous improvement in our rural roads in Alabama if we consistently follow this policy of joint responsibility of the government for the creation of a better agricultural home life and opportunity.

EDUCATION

Education has received much consideration the last four years. The result is found expressed in one simple statement that there has been an increase of 97 per cent in appropriations for education during the last four years. This is perhaps a very sudden and difficult standard to maintain. However, it does illustrate the desire of our people to have for their children an equal educational opportunity with all of the children of America. We are fast approaching this status and we can attain it as our economy develops, as our agriculture and industry expand, and as we obtain a larger income and wealth. It will not be long until we can paddle our own canoe, educate our people according to any standard within the United States and that without too much outside aid or interference.

It is interesting to note that the average school teacher's salary in Alabama in 1941-42 was \$732.00; in 1945-46, the average salary was \$1200. It must be borne in mind always that teachers' salaries are based upon: the teacher's equipment in education, experience, and general fitness for that type and character of work.

In fact, the Education Department has five standards by which it measures the teacher's income. The salary starts at the beginner's salary, which is proper. This beginner's salary may be low, and that is true of all beginners in all kind or character of work. It increases as experience increases, as fitness increases, and as education progresses. We have many teachers in Alabama who are receiving salaries which rank favorably with the highest among industrial and commercial workers.

This basis of determining teachers' salaries makes a difference between the white and colored teachers in Alabama. Our colored teachers unfortunately are not as well equipped and do not have the experience and, consequently, come within the lower brackets. Our average salaries for white teachers were \$859. in 1941-42, and

\$1400. in 1945-46, while the negro teachers jumped from \$441. average in 1941-42 to \$890. in 1945-46.

It would be a waste of your time, I am sure, to go into further details of educational appropriations and expenditures or the emphasis this administration has made upon the necessity for adequate support for education at all levels. These matters have been discussed before the people time and time again in public addresses and in public reports.

FINANCE

On September 30, 1946, there was a balance in cash in the Treasury of the State of Alabama of \$62,044,970.21. This was the largest cash balance in the history of the State. It must be remembered that it is not all available for any particular purpose or use but is earmarked constitutionally and statutorily and can be used only for the purposes to which it is dedicated. It does indicate, however, a most healthy and wholesome condition of the finances of our State.

During the last four years we have put our debt condition in such a favorable and satisfactory position that it will be orderly liquidated as it matures. It is unfortunate that all of our obligations were not callable so that we could have paid more of the outstanding indebtedness of the State than we did. However, the fact that they were not callable prevented us from liquidating a larger number of bonds, for the purchase price which we would have had to pay was prohibitive and unwise and unadvisable.

Not only have we paid off annual maturities of \$9,649,500. during the past four years, but in addition, we have also put into sinking funds for various bond issues a total of \$18,378,000.

On other debts of the State and its institutions the sum of \$2,219,977.12 has been paid out of the General Fund. On the school debts of the cities and counties \$582,630.03 has been paid out of Building Commission funds. This makes a total of payments and sinking funds of \$30,830,107.15.

At the beginning of my term, that is on January 19, 1943, Alabama owed outstanding bonded indebtedness, less sinking funds, of \$57,261,500. As against that, we have paid thereon and other indebtedness and now have in sinking funds, as stated above, the amount of \$30,830,107.15. To ascertain the net bonded debt we would have to exclude payments of \$2,802,607.15 on institutional obligations, on county and city educational debts. This would leave us a net amount applicable to debt retirement including sinking funds of \$28,027,500. and leave a net bonded debt owing ~~after deducting sinking funds and retirements of \$29,264,000.~~

A word of explanation about the sinking fund is needed. The sinking fund mentioned is made up of the following items:

(1) As against the second highway bond issue there is a sinking fund on January 1, 1947, of \$1,097,000.

(2) As against the old bonded debt (known as the carpetbag bonds) there is a sinking fund as of January 1, 1947, of \$1,850,000.

(3) As against the refunding bonds (known as the income tax bonds) there is an invested sinking fund of \$9,433,000.

This is the total amount now owing on the income tax bonds.

(4) As against the Alabama bridge bonds there is a sinking fund of \$85,000.

This makes a total now outstanding in cash or invested sinking fund of \$12,465,000.

In addition to this, we have the following items which are by the Constitution dedicated first to the payment of certain bonds, known as the income tax bonds, namely:

(1) Cash in income tax estimated as of January 1, 1947, \$7,400,000.

(2) Cash in income tax investment trust fund (this is the interest earned on investments heretofore made) \$321,000.

(3) Bonds now owned and in which income tax has heretofore been invested, \$4,117,000.

This makes a total in cash and securities of \$11,838,000. dedicated first to the payment of income tax bonds and then to reduction of State advalorem taxes. It will be interesting to note, from all these figures, there is now in the income tax, in cash and invested as a sinking fund, the sum of \$21,271,000.

HEALTH

The last four years have emphasized the need of better health conditions in Alabama and we have gone a long way towards achieving the needful and necessary. We have entered upon certain phases of health work; such as, venereal, cancer, tuberculosis control, and made appropriations for these purposes.

Only recently the people adopted a constitutional amendment providing for construction of hospitals by the State to supply the needed deficit in hospital facilities for our people.

The greatest achievement of the Legislature and of this administration in health work was the building of a modern medical center in Birmingham. With its conception of public service and the responsibility of educated practitioners of medicine, this bids fair to be one of the largest contributions to the welfare and happiness of our people.

If it has the right view of its duties and responsibilities; namely, to integrate the benefits of modern medical science with the economic level of our people, then the Medical Center will have many times justified itself.

The Medical Center has been wonderfully conceived and when finally completed will contain all the units for a modern medical teaching center, research center, public health center, and hospital clinics.

To begin with, we have an excellent hospital, known as the Jefferson Hospital, which was granted to the State of Alabama by

Jefferson County after the State had paid out of the General Fund and in accordance with an Act of the Legislature the sum of \$1,-236,590.89 to liquidate outstanding RFC bonds. In addition, the County of Jefferson gave to the State of Alabama the old Hillman Hospital, which together with the Jefferson Hospital, makes abundant and continuing hospital facilities necessary for a large medical college and medical center. We could not have found a better location nor available facilities at so little cost.

On property belonging to the Medical College Center, there will be ultimately constructed: a Federal hospital for veterans, a hospital for crippled children, and a public health building belonging to and occupied by the County of Jefferson, the City of Birmingham, and the State of Alabama. These together with many other facilities which are contemplated and in course of procurement and construction will make Alabama's Medical College one of the finest institutions of its kind within the United States. The present leadership of this medical college is imbued with the hope and the desire of using it as a means by which Alabama's general health and that of all of her people can be improved and maintained at a high level. It is more than a medical college. It is an institution for the benefit of the masses of our people.

In addition to the medical school, we have there and at the same place and as a part of the same buildings, which makes it much more economical, inaugurated and provided for a dental college, something that our people need badly. There are many counties in Alabama which do not have a dentist and so many of our people do not have access to oral hygiene or dental services so essential to modern health.

The money appropriated by the Legislature for the construction of the Medical College has not yet been placed under contract. It is available and is in the Treasury of the State, except a small part that has been used for the purpose of renovation of the property to make it fit the need of the school. As soon as permission is granted to construct the Medical School, construction will begin on additions to the Jefferson Hospital for use as a teaching facility. This is both economical and satisfactory. It makes a compact arrangement which is seldom found anywhere else.

We, therefore, look forward not only to the education of practicing physicians, but of dentists, of nurses, technicians, and of medical assistants which Alabama so greatly needs, particularly in her rural and low income areas.

All this was accomplished with the enthusiastic cooperation and support of the government of Jefferson County, and of the people and government of the City of Birmingham.

PUBLIC SAFETY

By Executive Order I combined the Highway Patrol and the Law Enforcement Division of the Alabama Alcoholic Beverage Control Board into the Department of Public Safety. This has

worked well. I have not changed the duties of the two enforcement divisions but have merely put their overhead administration under the Department of Public Safety where it occurs to me it should properly be.

PUBLIC WELFARE

In the State's services to its needy people there have been tremendous advances. In 1942-43, all funds expended for welfare work amounted to \$5,066,994.39. The amount budgeted for 1946-47 is \$15,608,160.81, an increase of \$10,541,166.42.

This increase in support has enabled us, not only to increase the number of beneficiaries, which has been very large, but at the same time to increase our monthly allowances from \$10.99 in January, 1943, to \$20.83 in January, 1947.

It is interesting to note that the amount now budgeted for old age assistance, on the basis of the load in January, 1943, would produce an average payment per case of \$37.95. Of course, we can never tell how much is actually needed because our rolls are growing daily. There is no way of curbing this because it has a direct reference to our economic condition. If you increase your load, you decrease the amount of monthly allotment. Vice versa, if you reduce your load, you increase your monthly allotment. This, provided always, however, your appropriation remains the same.

In January 1943, there were only 21,483 cases receiving old age assistance in Alabama, while in October, 1946, 41,768 received such assistance. This was an increase of 20,285, or nearly 100 per cent over what it was in 1943.

One of the sad facts brought out by the statistics in public welfare work is that an estimated 35.8 per cent of our aged population 65 years and over will be included in the cases budgeted for old age assistance.

The matter of internal administration of many of our activities require passing notice at least in order that I may give you the present condition of our State in terms of these activities.

The Department of Corrections and Institutions has been operated on a successful basis the last four years and has not been a very heavy drain upon the General Fund of the State. In fact, during the fiscal year, ending September 30, 1946, this department remitted to the State Treasury the sum of \$300,000.

Generally, this department is well organized, but it has need for facilities. It needs a tuberculosis hospital for its inmates and better housing facilities all way around at Atmore.

The Highway Department was handicapped in the early part of this quadrennium. Road construction was prohibited during the war and no Federal funds were available, and consequently all we could do was to prepare our plans and get ready for the time when Federal money would be available and permission granted for the construction of highways. This came about in the latter part of 1945 and since then we have been ready and have gone forward

with the program of construction and highway improvement, probably unprecedented for the same period of time.

On January 20, 1943, there were 6,906 miles of what are known as State Highways. These are highways that are constructed and maintained by the State. During this quadrennium there have been added 399 miles to this system, making a total of 7,305 miles. There have been a total of 842 miles of this system paved and in addition 4.1 miles of bridges constructed within the last four years. There are now under construction, as of January 1, 1947, 406.9 miles. This will leave a balance of 741.1 miles of our State system unpaved, or 10.1 per cent.

During this same four-year period we have resurfaced and repaired 4,159 miles of State highways.

During the war period man power was very scarce but by concentrating on the wearing surfaces, probably to the neglect of road-sides, the maintenance rating of the State Highway Department of Alabama was raised by the Public Roads Administration to A-1, the first time this State ever was given so high a rating in maintenance standards.

It is interesting to note the cooperative manner in which the counties have entered into our farm-to-market road building program. The law requires that each county shall employ an engineer. This is essential if we are to have a high standard of work and high quality of construction. Already 62 of the 67 counties are employing an engineer.

In addition to this, 31 projects have been completed in 16 counties, comprising 125 miles of grading, drainage, and bridges.

Also, there are under contract in 48 counties 483 miles of grading, drainage, pavement, and bridges. You will note that this amounts to 608 miles of county roads, which we have completed or now have under construction in our farm-to-market road program.

Some forward-looking steps have been taken in the matter of conserving our resources. At the request of timber people and manufacturers, a severance tax was levied on forest products and dedicated exclusively to conservation of timber and the protection of forests from fires. This has just begun to operate and is proving satisfactory.

The recreational side of conservation has been stressed during this administration. We have pointed carefully to the necessity of improving our parks, hunting preserves, game sanctuaries, and fishing ponds. All preliminaries have been made to enable us to begin a program of recreational development, a thing so necessary to the general welfare of our people. Provision has been made for **the purchase and operation of game preserves where limited hunting** can be permitted during the seasons, for the construction of fishing ponds for such use, for improvement of our parks and the construction of more cabins so that the recreational facilities already provided may be more abundantly used.

In providing for the returning veteran, we established a State Department of Veterans' Affairs. It began to function last year and has done a great work in assisting and in placement of the veteran who has returned from a victorious war.

In aviation we have looked forward towards the necessity of putting our State in line for the benefits of this modern method of transportation and distribution. Only recently we passed a constitutional amendment permitting the State to engage in the construction of airports, air fields, and landing strips.

The State Guard has been a great standby protection during the war. I cannot too highly compliment the men who gave their time voluntarily to make this a successful internal defense organization. They have performed their services well and they are now willing and anxious to retire. In their place a National Guard must be established. We have begun the reestablishment of this Guard and it is now in process of re-activation in accordance with plans promulgated by the National Guard Bureau of the War Department.

Recognizing the necessity of reasonable protection to State employees, the same kind of protection as is granted by private industry, we enacted and set up in 1945 a retirement fund for all State employees.

The small loan business in Alabama has grown very large. It needs some kind of regulation. We began this regulation in the 1945 Legislature. While it may not be adequate, it is yet a step which will enable us to eliminate the evil so inherent in what we call the loan shark.

Insurance rates have become a matter of State regulation since the Congress of the United States provided that the states would have two years in which to set up necessary statutes conforming to a recent decision of the Supreme Court. We have set up this process and under proper direction and administration it will mean much to our people in securing fair, just, and equitable insurance rates in every field of insurance from time to time. This law is now in operation and while we have not had time to determine its effectiveness, it must be carried on unless we are willing to deliver this activity to the Federal Government.

The administration of unemployment compensation has undergone some new experiences during the last four years. For instance, in 1944 there were only 4,633 workers receiving benefits, while in 1946, through December 11, there were 51,833. This illustrates somewhat the dislocation in employment which reconversion has brought about.

However, our accumulated reserves during the time our load was light have enabled us to make large payments, larger than income, and yet retain a satisfactory reserve.

As of December 11, 1946, there was a reserve in our Unemployment Compensation Fund of \$56,210,712.

During all this four years we have enjoyed a low rate of payroll taxation for unemployment compensation. Our Experience Rating has proved valuable, and has meant a net savings to employers of \$38,930,447, and to employees of \$18,000,016.

In 1943 the Legislature, realizing the tremendous potential liability built up by the expansion of covered employees, amended the law to provide for the payment of additional contributions on wages in excess of prescribed amounts. This enabled those employed in excess of normal needs of our state to help build up a surplus which they would enjoy when unemployment became universal.

The Legislature also amended the unemployment compensation act in 1945 by raising the minimum from \$2.00 to \$4.00 per week, and raising the maximum from \$15.00 to \$20.00 per week. This was necessitated when we note the earning capacity of workers during that same period. The average weekly wage of covered workers was \$17.64 in 1939, and \$35.20 in 1945.

The employment service was returned to the states on November 16, 1946. This was in accordance with an Act of Congress and an agreement by the President of the United States when the services were taken over in December 1941. We have organized our department to take over this additional load, and without any interruption the service will be continued under state control and be as efficient as it has heretofore been.

There are certain reports which the law requires be made at least every four years. Some of these are to be made by commissions, of which I am a member, and others by independent departments and boards. Most of these have already been made, and, in accordance with usual custom, are available to you already, or will be soon.

The Legislature of 1945 created a Building Commission composed of the Governor, the Superintendent of Education, the State Health Officer, the Director of Finance, and four members each from the House of Representatives and the Senate of the Legislature. To it was appropriated many millions of dollars for construction of necessary facilities at the institutions operated by the State.

This Commission has done a good job with the assistance of Doctor John M. Gallalee, whom it made Director of the Technical Staff. Its report is an outstanding example of an intelligent approach to capital investments.

The Commission's report has been printed and is now on your desk. It is but a factual, illustrated and statistical report and comprehends fully the activities of the Commission.

In addition, the law requires that the Building Commission keep a journal of its proceedings. This journal has been printed and is now on your desk.

By an act of the Legislature of 1911, codified as Sections 365, 366 and 367 of Title 55 of the Code of 1940, there was created what

may be called a Capitol Building Commission to consist of the Governor, the Chief Justice of the Supreme Court, the Attorney General, the Director of Finance, the Secretary of State, and two other citizens of Alabama to be selected by the above other members of the Commission for four years. The present citizen members of this Commission are Mr. Algernon Blair and Mr. T. B. Hill, Jr. of Montgomery. The Director of the Department of Archives and History is the statutory Secretary.

Fulfilling the purposes of the Commission, and in accordance with its authority set out in the Statute, it has performed a magnificent job in the repair, renovation and re-equipment of the Hall of the House of Representatives, of the Senate Chamber, of the corridors and rotunda of the capitol, and the executive offices. These repairs were long overdue, and make more comfortable the quarters in which the Legislature is required to meet, and more attractive the historic capitol which is ours in accordance with the dignity of the great commonwealth of Alabama.

A report of this Commission, whose work has extended intermittently over the last four years, is herewith transmitted on behalf of the Commission, and shows a total expenditure of \$141,-167.19, and a copy of its journal, which the law requires be kept, attached thereto.

The Legislature also created a Medical Building Commission to be appointed by the Governor. I appointed this Commission in 1943 and it began its work. It also wishes to make a report to you, and on your desk you will find a mimeographed report of the Medical Building Commission showing its activities and the present status of the appropriation made for the construction of the Medical College.

All funds which have been appropriated contingently, or conditionally, or as an emergency, are reported in the Annual consolidated report of the Department of Finance, State Comptroller, State Auditor and State Treasurer, as of September 30, 1946, a copy of which is on your desk, or available to you at any time.

Particularly I want to call to your attention the use of the funds appropriated by the 1939 Legislature for the purpose of purchasing lands in Calhoun County to connect Fort McClellan with the Talladega National Forest. The amount appropriated was \$150,000. A portion of this was spent in the former administration, and a portion in my administration. In mimeographed form I render you a statement of the total expenditures and the amount of land acquired, and the present status of that land. On June 28, 1946, this account was closed out and \$48,805.17 of the original appropriation was returned to the General Fund in the treasury.

Conditional appropriations made by the Sessions of 1943 and 1945 have been released by me only when it was determined that the treasury would justify it. In some cases these conditional appropriations have not been needed, in others they have and the release has been ordered. For example, the conditional appropria-

tion to Public Welfare for the year 1945-46 was released, as well as the conditional appropriation to education. There were a few other conditional appropriations released as shown by the report of the Finance Department, but smaller in amounts than those to education and public welfare.

There were certain other emergency appropriations made by the Legislature which I will discuss under the item of emergency in higher education.

The Legislature of 1943 created a Planning Board, of which the Governor is an ex-officio member. This Board has gone about its work in a systematic way, under adequate personnel, and has made its report, a copy of which is now on your desk, or will soon be available.

The State Docks have been a financial success for the last four years. Whether this presages a continued prosperous operation, I cannot say. This I do think, however, that the facilities should be properly repaired and expanded so that increased demands for this type of service can be met when and if it comes. The general opinion is that it will come and that Mobile will be one of the important and principal ports on the Gulf of Mexico. The quadrennial report of the Department (and it has not made annual reports because of censorship during the war) has been printed and is now on your desk, or will soon be available. We have just authorized and inaugurated a \$4,000,000 expansion program at the Docks.

The Constitution requires me to report to you all commutations made by the Governor. I have had these listed alphabetically. While the Constitution provides that the reason for the commutation shall be given, you must readily understand that the reason therefor is sometimes very difficult to explain. In every case I felt that commutation would meet the requirements of the law and that life imprisonment was sufficient punishment and that death should not have been exacted.

In connection with commutations in the future, the Legislature passed in 1943 what is known as an Automatic Appeal Statute. This provided that any indigent convict who was in danger of forfeiting his life, because of crime, was given the right to have the Supreme Court of the State pass upon his case. This certainly has been a great help in finally reaching perhaps a correct conclusion as to the guilt or innocence of the defendant and as to the competency of the punishment. In connection with the automatic appeal, the State also pays attorneys' fees and secures good legal talent for those who are not able to pay for it in order that the **question of life or death for them may be passed upon by all the** courts of the State before it comes to the Governor on a matter of commutation.

During the last four years we have had some emergencies to arise which have required quick action on the part of the Executive Department. The Legislature was wise enough to provide an

emergency war act which gave certain authority to the executive within the limitations of the Constitution. Fortunately, I have not been called upon to exercise this extraordinary authority in but few instances. May I recite them to you.

After V-J Day and the return of our boys from the Services the problem of education at the college level became very acute. We found our facilities in Alabama were wholly inadequate and the demands were beyond our capacity to meet. I immediately called the heads of the higher institutions together and established an Emergency Committee on Higher Education. This Committee elected Mr. Ralph B. Draughon of Auburn as Executive Director, and he immediately began his work in trying to expand the facilities available and secure services from private institutions.

In this connection, we used what was known as the two per cent emergency fund appropriated by the Legislature in 1945 for the fiscal year ending September 30, 1946, as well as the two per cent emergency fund appropriated for the fiscal year ending September 30, 1947. In addition, we used all of the available regular Governor's Emergency Fund for 1947, except about \$83,000 which was retained for the incoming administration.

A detailed report of these activities, of the results thereof, and of the effective cooperation and coordination among our institutions of higher learning, has been made by the Executive Director of the Emergency Committee on Higher Education, has been printed and is now on your desk.

By veto of the President rent control went out on June 30, 1946. I recognized that a sudden release of these controls would perhaps be very harmful to those who were forced to rent their homes. I at once put on a rent control and immediately appointed Honorable Charles M. Cooper, Rental Agent. Fortunately, we were relieved of this necessity by Act of Congress in July 1946 reconstituting rent control. We then abandoned the activities on the part of the State.

Because of the strike of the coal miners in November 1946, an acute fuel shortage was developing in Alabama. At the request of the President and of the Secretary of the Interior, I appointed the Honorable Robin Swift, Fuel Conservator for Alabama, to meet the emergency brought about by the strike and to prevent our people from suffering and our industries from stagnating. This emergency was handled in a successful manner and we were prepared to dig in for the winter if necessary. Fortunately, the strike was ended and the emergency was relieved.

The factual information given above indicates the material contribution to state government in Alabama during the last four years. We cannot measure our service in dollars and cents, and we ought not to. Government is not solely for the purpose of collecting taxes and spending them, but also for guidance and direction and a constructive application of these taxes to permanent benefit to our people. We should never content ourselves with

saying we made such and such an appropriation. If so, we have missed the mark. An appropriation is in itself not an end but a means to an end, and if we have not obtained the end, then our means have been squandered.

What has Alabama gained from these expenditures and activities? For the real achievement is to be measured, not in dollars and cents, but in what this money has contributed to the building of a better Alabama. I believe that those of us who have labored in the State service during the past four years can say that we are leaving behind us a healthier Alabama, an Alabama with an educational system expanded and strengthened, and with a new sense of unity of purpose; a State with the beginning of a new system of local roads, binding us together and making us more truly one people; an Alabama in which the State has recognized and enlarged its obligations to prepare for the public welfare by tackling problems the individual cannot solve single-handed, while at the same time maintaining the dignity, the rights and the obligations of the individual.

We have today better schools; better research, exploration, experimentation, which enables us more intelligently to use the blessings of nature and the resources so readily at hand; better labor relations and have provided rules for carrying into effect that conduct which is most conducive to a friendly attitude and at least to complete justice for those who employ and for those who work.

One of the great intangible accomplishments of this administration has been the demonstration of the ability of education to work together for the common good, to submerge differences and subordinate local ambitions to the overall need. The presidents of the State institutions of higher education, the State Superintendent of Education, and the Executive Secretary of the Alabama Educational Association have organized themselves into a volunteer working group to develop a unified and co-ordinated program of education in Alabama to serve all the people of the State. I cannot too strongly endorse this beginning. Loyalty to one's own particular education institution is admirable, but it should not be allowed to degenerate into something narrow, utterly infatuated with itself and indifferent or hostile to all other needs; nor to blind the broad vision we must have to build a truly great educational system for all of Alabama. We have made only a beginning so far in this job of learning to cooperate, and to co-ordinate our educational activities. Yet this beginning is the essential first step in the right direction, and is most heartening.

It has been the aim of my administration to extend State services to the maximum degree allowed by the need and available resources, while striving to preserve a sense of individual rights and above all, of individual responsibility. It has been a long time since men first banded together and delegated to certain of their number the first police power, the duty of preserving law and

order, so that other members of the community might lay aside their arms and go about their affairs free from molestation. Since then, the concept of the State, its duties and responsibilities to its citizens, have been vastly enlarged. In a war against disease, in education, in the building of roads, in care of the aged and indigent, a duty of the State is today recognized by everyone. It is a duty that must be exercised with care and restraint, lest it degenerate into paternalism and tyranny. Aid to the worthy needy should never be transformed into a handout to the indolent, or State aid to the farmer into State control of the farmer's very existence. Democracy in this modern age of enlarged State services faces two major problems. First, the problem of preventing the emergence of an all powerful and arrogant bureaucracy, dictating to the people it is supposed to serve, perverting the authority entrusted to it to enrich and perpetuate such an office-holding class. Second, how to achieve extension of State services, which after all are but the pooled effort of all for the common good, without developing or encouraging a sense of dependence upon the central government, without causing the individual citizen to lose sight of the fact that his success or failure, happiness or woe, depend in large measure, upon his own efforts.

In the matter of racial relations, we have progressed from provincialism to an intelligent approach to whatever problem there may be. We have overcome a perhaps entrenched prejudice against education for Negroes. To Negro education, at all levels, this administration has given many millions of dollars more in the way of better pay for colored teachers, better facilities in which to work, improved transportation, regional development of necessary services, and establishment at Tuskegee of opportunities for the Negro which the State has long neglected. The A. and M. Institute for Negroes at Normal has added 16 faculty members, 10 academic courses, and 8 vocational courses, and was recently approved by the Southern Association of Colleges and Secondary Schools as a Class-A four-year college. The State Teachers College for Negroes, at Montgomery, has increased its faculty from 85 to 106, has made provision for a master's degree in education, added secretarial science and music education, broadened its curriculum to give preparatory college training for further study in medicine, law, theology, social work, library science, dentistry, and nursing. This institution was accredited as a Class-A college in 1946.

We know that the "Uncle Tom's Cabin" days are over. There are no more Simon Legrees except in the minds of those who would attempt to invent a race question for personal or political gain. I think we have learned in the past four years that orderly progress is more to be desired than the sudden subjection of ignorance and poverty to the influence of the demagogue and the selfish. We have provided for the orderly registration of all our qualified people. We should see to it that no qualified person is denied the right to vote.

Would it be boasting to say that I think we have contributed something more to the common good than merely a record of dollars spent here, buildings erected there? I have tried to uphold the traditions and ideals of a modern, progressive, democratic State, its affairs impartially administered by qualified men and women, interested not so much in the honors and emoluments as in the obligations of public service; and to create a State whose greatest asset is to be found, not in treasury balances, but in a virile and self-reliant citizenry, working together for the common good through the medium of an intelligent and responsive State government which assists and advises but does not seek to dictate or control.

The last four years have been interesting, in a measure pleasant, and whatever dividends they have paid in service, a source of gratification.

I bespeak for you a happy experience and profitable service to your State.

Respectfully submitted
CHAUNCEY SPARKS
Governor

The purpose of the joint session having been accomplished the Senate retired to its chamber.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Henderson:

S.J.R. 2. BE IT RESOLVED by the Senate, the House of Representatives concurring, that the Joint Rules of the 1943 Regular Session of the Legislature be, and they are, hereby adopted as the Joint Rules of this, the Organizational Session, the Regular Session and all extraordinary sessions of this Legislature.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and S.J.R. 2, set out in the above and foregoing message from the Senate, was concurred in and adopted.

APPOINTMENT OF SERGEANT-AT-ARMS

The Speaker of the House announced the appointment of Jack Bush, Jr. of Montgomery as Sergeant-at-Arms.

ADJOURNMENT

On motion of Mr. Sullivan the House adjourned until 10 o'clock P.M., Wednesday, January 15, 1947.

SECOND DAY

House of Representatives,
Montgomery, Alabama,
Wednesday, January 15, 1947.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. J. H. Avery, of Clayton Street Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | George | McIlwain | Shirley |
| Adams (Dale) | Gibson | Malone | Sightler |
| Adams (Jefferson) | Gillis | Martin | Snodgrass |
| Barnett | Hankins | Mason | Stewart |
| Beatty | Harris | Mathison | Still |
| Benford | Haynes (Franklin) | Meeks | Stone |
| Bennett | Haynes (Lowndes) | Merrill | Sullivan |
| Black | Head | Miller | Taylor (Autauga) |
| Brannan | Hornsby | Mitchell | Taylor (Hale) |
| Brassell | Howell | Molette | Thagard |
| Broadwater | Ingalls | Nelson | Thompson (Crenshaw) |
| Buckner | Inzer | Nettles | Thompson (Pike) |
| Bushy | Johnston | Norman | Tucker |
| Bush | Kaul | O'Neal | Wallace |
| Cox | Knight | Pinkston | Ward |
| Crocker | Larkins | Pruitt | Weaver |
| Davis | Leonard | Richardson | White (Covington) |
| Denton | Lovelace | Robinson | White (Perry) |
| Dobbs (Fayette) | McClendon | Rogers | Wood (Bibb) |
| Faulk | McDana | Sadler | Wood (Washington) |
| Frasier | McDonald | Sellers | Wright |
| Ganey | McGowin | Shelton | |

A quorum was present.

LEAVE OF ABSENCE

was granted to Mr. Sim A. Thomas.

REPORT OF STANDING COMMITTEE
ON REVISION OF THE JOURNAL

Mr. Speaker:

Your Standing Committee on the Revision of the Journal begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

J. P. Shelton,
Chairman.

On motion of Mr. Shelton, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on the Revision of the Journal was concurred in and adopted, and the Journal for the first legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H.J.R. 7. BE IT RESOLVED by the House, the Senate concurring that the House of Representatives and the Senate meet in joint convention in the Hall of the House of Representatives at 10:30 o'clock, January 15th, 1947, for the purpose of witnessing the opening and publishing of the returns of the election of the Executive Officers of the State of Alabama at the General Election held on November 5, 1946, as required by Section 115 of the Constitution of Alabama.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 7. Relative to Joint Session at 10:30 A.M. January 15th, 1947, for purpose of witnessing election returns.

J. E. Speight,
Secretary.

MESSAGE FROM THE GOVERNOR

To the Speaker of the House of Representatives Montgomery, Alabama

Dear Sir:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

GEO. BLISS JONES

Secretary to the Governor.

January 14, 1947

To the Speaker of the House of Representatives Montgomery,
Alabama

Dear Sir:

I herewith deliver to you the certificates of the Board of Supervisors of each of the counties in the State as to the election for Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Education, and Commissioner of Agriculture and Industries, same having been forwarded to me for delivery to you as provided by law.

Respectfully,

CHAUNCEY SPARKS

Governor

January 14, 1947

JOINT SESSION

The hour of 10:30 o'clock, A.M., having arrived and in accordance with H.J.R. 7, the Legislature of Alabama met in joint session in the Hall of the House of Representatives to witness the opening of the returns and the counting, ascertaining, and proclaiming the results of the votes cast for executive officers in the State of Alabama at the election held on the First Tuesday after the first Monday in November, 1946, being the 5th day of November, in the year of our Lord, One Thousand Nine Hundred Forty-Six.

The joint convention was called to order by Hon. W. M. Beck, Speaker of the House of Representatives. The Lieutenant Governor and Presiding Officer of the Senate directed the Secretary of the Senate to call the roll of the Senate, when the following Senators answered to their names:

| | | | |
|----------|-----------|----------|-----------|
| Messrs.: | Cooper | Hooton | Owens |
| Allen | Fite | Howle | Patterson |
| Barrett | Gaither | Hughes | Patton |
| Boutwell | Glover | Kendall | Perry |
| Bridges | Golson | Kimbrell | Quarles |
| Burnside | Gulledge | Lamberth | Russell |
| Cater | Hardwick | Langan | Summerlin |
| Clayton | Harvey | Lowe | Swift |
| Coleman | Henderson | Mize | Wright |

—35

A quorum of the Senate of Alabama was present.

The Speaker of the House, then directed the Clerk of the House to call the Roll of the House of Representatives, when the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Evans | McGowin | Shelton |
| Adams (Dale) | Faulk | McIlwain | Shirley |
| Adams (Jefferson) | Ganey | Malone | Sightler |
| Barnett | Garrett | Martin | Snodgrass |
| Beatty | George | Mason | Stewart |
| Benford | Gibson | Mathison | Still |
| Bennett | Gillis | Meeks | Stone |
| Black | Hankins | Merrill | Sullivan |
| Brannan | Harris | Miller | Taylor (Autauga) |
| Brassell | Harrison | Mitchell | Taylor (Hale) |
| Broadwater | Haynes (Franklin) | Molette | Thagard |
| Brown | Haynes (Lowndes) | Nelson | Thomas |
| Buckner | Head | Nettles | Thompson (Crenshaw) |
| Busby | Howell | Norman | Thompson (Pike) |
| Bush | Ingalls | O'Neal | Tucker |
| Callahan | Inzer | Pinkston | Vann |
| Coburn | Johnston | Pinson | Wallace |
| Cox | Kaul | Pruitt | Ward |
| Crocker | Knight | Ramey | Weaver |
| Davis | Larkins | Richardson | Whitcomb |
| Denton | Leonard | Roberts | White (Covington) |
| Dobbs (Fayette) | Lovlace | Robinson | White (Perry) |
| Doughty | McClendon | Rogers | Wood (Bibb) |
| Duffee | McDanal | Sadler | Wood (Washington) |
| Dumas | McDonald | Sellers | Wright |

—100

A quorum of the House of Representatives was present.

The Speaker of the House then announced that there was a quorum of the Legislature of Alabama present, and that the purpose of the joint session was to open the returns, count, ascertain, and proclaim the result of the election held on the first Tuesday after the first Monday in November, 1946, being the fifth day of November, 1946, for executive officers of the State of Alabama.

The Speaker of the House of Representatives then proceeded to open and publish in the presence of the Legislature of Alabama and in the presence of a majority of the members of the Legislature of Alabama, in joint session assembled, the returns of the election held on the first Tuesday after the first Monday in November, 1946, being the fifth day of November, 1946, for executive officers of the State of Alabama, to-wit:

For Governor, Lieutenant-Governor, Attorney General, State Auditor, Secretary of State, State Treasurer, Superintendent of Education, and Commissioner of Agriculture and Industries.

RESULT OF ELECTION

The Speaker of the House proclaimed the result of the election as follows:

NOVEMBER 5th GENERAL ELECTION

| COUNTIES | Democrat Governor J. E. Folsom | Republican Governor Lyman Ward | Democrat Lt. Gov. J. C. Inzer | Republican Lt. Gov. W. J. Kemmer | Democrat Sec. State Sibyl Pool | Republican Sec. State Cyrus Kitchens | Democrat St. Auditor Dan Thomas | Republican St. Auditor Chas H. Hembree |
|-------------------|--------------------------------------|--------------------------------------|-------------------------------------|--|--------------------------------------|--|---------------------------------------|--|
| 1 Autauga..... | 968 | 21 | 966 | 22 | 965 | 20 | 966 | 20 |
| 2 Baldwin..... | 2,297 | 172 | 2,177 | 222 | 2,162 | 169 | 2,152 | 162 |
| 3 Barbour..... | 1,526 | 8 | 1,526 | 8 | 1,526 | 8 | 1,526 | 8 |
| 4 Bibb..... | 1,493 | 34 | 1,478 | 32 | 1,483 | 31 | 1,463 | 33 |
| 5 Blount..... | 3,248 | 583 | 2,802 | 621 | 2,699 | 760 | 2,650 | 628 |
| 6 Bullock..... | 825 | | 832 | | 817 | | 825 | |
| 7 Butler..... | 1,543 | 18 | 1,527 | 18 | 1,521 | 18 | 1,516 | 18 |
| 8 Calhoun..... | 3,249 | 179 | 3,169 | 156 | 3,072 | 177 | 3,068 | 162 |
| 9 Chambers..... | 2,034 | 23 | 2,038 | 19 | 2,032 | 20 | 2,032 | 16 |
| 10 Cherokee..... | 1,025 | 91 | 1,006 | 90 | 1,008 | 90 | 999 | 89 |
| 11 Chilton..... | 2,746 | 1,067 | 2,444 | 1,159 | 2,395 | 1,151 | 2,325 | 1,148 |
| 12 Choctaw..... | 1,048 | | 1,048 | | 1,048 | | 1,048 | |
| 13 Clarke..... | 1,484 | 2 | 1,478 | 2 | 1,451 | 2 | 1,477 | 2 |
| 14 Clay..... | 2,337 | 515 | 2,046 | 515 | 2,013 | 525 | 1,968 | 513 |
| 15 Cleburne..... | 1,906 | 673 | 1,728 | 663 | 1,693 | 672 | 1,662 | 671 |
| 16 Coffee..... | 1,682 | 13 | 1,658 | 13 | 1,661 | 13 | 1,662 | 13 |
| 17 Colbert..... | 2,817 | 234 | 2,711 | 239 | 2,703 | 234 | 2,693 | 212 |
| 18 Conecuh..... | 1,097 | 6 | 1,097 | 6 | 1,097 | 6 | 1,097 | 6 |
| 19 Coosa..... | 962 | 108 | 921 | 101 | 922 | 103 | 910 | 96 |
| 20 Covington.... | 2,091 | 28 | 2,085 | 21 | 2,073 | 18 | 2,060 | 21 |
| 21 Crenshaw..... | 1,350 | 7 | 1,350 | 7 | 1,350 | 7 | 1,350 | 7 |
| 22 Cullman..... | 5,920 | 1,991 | 5,070 | 2,186 | 4,976 | 2,215 | 4,877 | 2,196 |
| 23 Dale..... | 1,505 | 54 | 1,505 | 54 | 1,505 | 54 | 1,505 | 54 |
| 24 Dallas..... | 1,976 | 18 | 1,983 | 12 | 1,983 | 12 | 1,984 | 12 |
| 25 DeKalb..... | 6,102 | 3,550 | 5,710 | 3,586 | 5,667 | 3,585 | 5,634 | 3,558 |
| 26 Elmore..... | 2,552 | 30 | 2,552 | 30 | 2,552 | 30 | 2,552 | 30 |
| 27 Escambia..... | 1,302 | 11 | 1,288 | 11 | 1,281 | 10 | 1,274 | 10 |
| 28 Etowah..... | 6,890 | 489 | 6,869 | 470 | 4,563 | 478 | 4,266 | 440 |
| 29 Fayette..... | 1,487 | 406 | 1,323 | 428 | 1,310 | 426 | 1,297 | 421 |
| 30 Franklin..... | 3,504 | 1,879 | 2,999 | 1,979 | 3,117 | 1,982 | 2,928 | 1,984 |
| 31 Geneva..... | 1,703 | 42 | 1,684 | 43 | 1,677 | 42 | 1,684 | 42 |
| 32 Greene..... | 755 | 5 | 760 | 5 | 757 | 6 | 756 | 4 |
| 33 Hale..... | 949 | 9 | 966 | 1 | 964 | 1 | 964 | 1 |
| 34 Henry..... | 944 | 4 | 938 | 4 | 932 | 4 | 930 | 4 |
| 35 Houston..... | 1,965 | 65 | 1,887 | 57 | 1,887 | 52 | 1,877 | 51 |
| 36 Jackson..... | 1,993 | 312 | 1,823 | 466 | 1,874 | 330 | 1,868 | 308 |
| 37 Jefferson..... | 29,633 | 2,306 | 29,726 | 1,926 | 29,638 | 2,009 | 29,438 | 2,017 |
| 38 Lamar..... | 1,710 | 74 | 1,674 | 71 | 1,667 | 72 | 1,670 | 72 |
| 39 Lauderdale.... | 2,865 | 237 | 2,736 | 222 | 2,713 | 232 | 2,703 | 229 |
| 40 Lawrence..... | 1,647 | 185 | 1,605 | 201 | 1,602 | 202 | 1,599 | 200 |
| 41 Lee..... | 1,438 | 32 | 1,439 | 28 | 1,440 | 23 | 1,429 | 23 |

NOVEMBER 5th GENERAL ELECTION

| COUNTIES | Democrat Governor J. E. Folsom | Republican Governor Lyman Ward | Democrat Lt. Gov. J. C. Inzer | Republican Lt. Gov. W. J. Kennamer | Democrat Sec. State Sibyl Pool | Republican Sec. State Cyrus Kitchens | Democrat St. Auditor Dan Thomas | Republican St. Auditor Chas H. Hembree |
|--------------------|--------------------------------------|--------------------------------------|-------------------------------------|--|--------------------------------------|--|---------------------------------------|--|
| 42 Limestone..... | 1,939 | 18 | 1,926 | 17 | 1,928 | 18 | 1,928 | 15 |
| 43 Lowndes..... | 707 | 1 | 707 | 1 | 708 | 2 | 707 | 1 |
| 44 Macon..... | 863 | 8 | 858 | 12 | 856 | 13 | 844 | 11 |
| 45 Madison..... | 3,963 | 109 | 3,819 | 122 | 3,814 | 113 | 3,771 | 104 |
| 46 Marengo..... | 1,343 | 8 | 1,341 | 5 | 1,337 | 10 | 1,342 | 4 |
| 47 Marion..... | 2,102 | 447 | 1,813 | 471 | 1,754 | 498 | 1,773 | 461 |
| 48 Marshall..... | 2,477 | 315 | 2,367 | 338 | 2,211 | 333 | 2,326 | 340 |
| 49 Mobile..... | 5,605 | 575 | 5,093 | 473 | 5,066 | 490 | 4,997 | 456 |
| 50 Monroe..... | 1,275 | 3 | 1,276 | 5 | 1,274 | 5 | 1,272 | 5 |
| 51 Montgomery | 6,142 | 132 | 5,947 | 149 | 5,912 | 134 | 5,850 | 112 |
| 52 Morgan..... | 3,165 | 202 | 3,002 | 182 | 3,105 | 184 | 2,989 | 169 |
| 53 Perry..... | 917 | 3 | 914 | 3 | 912 | 4 | 911 | 4 |
| 54 Pickens..... | 1,336 | 22 | 1,329 | 17 | 1,323 | 18 | 1,326 | 17 |
| 55 Pike..... | 1,615 | 10 | 1,601 | 10 | 1,602 | 9 | 1,599 | 8 |
| 56 Randolph..... | 1,790 | 278 | 1,759 | 244 | 1,748 | 252 | 1,708 | 244 |
| 57 Russell..... | 1,025 | 8 | 1,034 | 7 | 1,039 | 6 | 1,035 | 7 |
| 58 Shelby..... | 2,588 | 940 | 2,454 | 882 | 2,441 | 874 | 2,363 | 876 |
| 59 St. Clair..... | 2,460 | 1,147 | 2,337 | 1,164 | 2,166 | 1,167 | 2,163 | 1,150 |
| 60 Sumter..... | 1,002 | 11 | 1,011 | 10 | 1,013 | 10 | 980 | 10 |
| 61 Talladega..... | 2,681 | 295 | 2,654 | 226 | 2,629 | 219 | 2,622 | 210 |
| 62 Tallapoosa..... | 2,458 | 43 | 2,458 | 43 | 2,458 | 43 | 2,458 | 43 |
| 63 Tuscaloosa..... | 3,815 | 98 | 3,829 | 75 | 3,819 | 89 | 3,803 | 81 |
| 64 Walker..... | 5,399 | 1,108 | 4,967 | 1,259 | 4,723 | 1,290 | 4,693 | 1,305 |
| 65 Washington..... | 1,045 | 8 | 1,039 | 3 | 1,037 | 6 | 1,039 | 5 |
| 66 Wilcox..... | 1,163 | 4 | 1,163 | 4 | 1,163 | 3 | 1,163 | 3 |
| 67 Winston..... | 1,538 | 1,088 | 960 | 1,149 | 1,015 | 1,160 | 1,017 | 1,166 |
| | 174,962 | 22,362 | 168,282 | 22,565 | 164,849 | 22,739 | 163,363 | 22,288 |

NOVEMBER 5th GENERAL ELECTION

| COUNTIES | Democrat St. Treasurer John Brandon | Republican St. Treasurer I. R. Ensey | Democrat Supt. Ed. A. R. Mcadows | Republican Supt. Ed. Fred Allen | Democrat Com. Agri. Haygood Paterson | Republican Com. Agri. J. N. Dennis | Democrat Attorney General A. A. Carmichael | Republican Attorney General Jere Murphy |
|--------------------|---|--|--|---------------------------------------|--|--|--|---|
| 1 Autauga..... | 962 | 21 | 964 | 21 | 964 | 21 | 965 | 20 |
| 2 Baldwin..... | 2,150 | 168 | 2,150 | 168 | 2,179 | 156 | 2,151 | 174 |
| 3 Barbour..... | 1,526 | 8 | 1,526 | 8 | 1,526 | 8 | 1,526 | 8 |
| 4 Bibb..... | 1,463 | 32 | 1,464 | 36 | 1,465 | 33 | 1,474 | 34 |
| 5 Blount..... | 2,675 | 623 | 2,657 | 639 | 2,691 | 622 | 2,670 | 625 |
| 6 Bullock..... | 824 | | 827 | | 838 | | 827 | |
| 7 Butler..... | 1,518 | 18 | 1,519 | 18 | 1,525 | 19 | 1,526 | 20 |
| 8 Calhoun..... | 3,075 | 160 | 3,052 | 178 | 3,058 | 163 | 3,120 | 171 |
| 9 Chambers..... | 2,029 | 16 | 2,031 | 16 | 2,031 | 16 | 2,032 | 16 |
| 10 Cherokee..... | 1,005 | 89 | 998 | 90 | 997 | 90 | 1,002 | 89 |
| 11 Chilton..... | 2,431 | 1,159 | 2,352 | 1,182 | 2,289 | 1,426 | 2,261 | 1,153 |
| 12 Choctaw..... | 1,048 | | 1,048 | | 1,048 | | 1,048 | |
| 13 Clarke..... | 1,477 | 2 | 1,461 | 2 | 1,475 | 2 | 1,454 | 2 |
| 14 Clay..... | 1,971 | 517 | 2,000 | 522 | 1,918 | 516 | 2,012 | 516 |
| 15 Cleburne..... | 1,680 | 668 | 1,686 | 672 | 1,682 | 670 | 1,701 | 672 |
| 16 Coffee..... | 1,654 | 13 | 1,666 | 13 | 1,662 | 13 | 1,664 | 14 |
| 17 Colbert..... | 2,672 | 225 | 2,683 | 236 | 2,678 | 223 | 2,715 | 219 |
| 18 Conecuh..... | 1,097 | 6 | 1,097 | 6 | 1,097 | 6 | 1,097 | 6 |
| 19 Coosa..... | 907 | 101 | 915 | 99 | 910 | 105 | 905 | 100 |
| 20 Covington..... | 2,081 | 19 | 2,061 | 20 | 2,070 | 23 | 2,051 | 19 |
| 21 Crenshaw..... | 1,350 | 7 | 1,350 | 7 | 1,350 | 7 | 1,350 | 7 |
| 22 Cullman..... | 4,933 | 2,160 | 4,907 | 2,235 | 4,936 | 2,200 | 4,926 | 2,206 |
| 23 Dale..... | 1,505 | 54 | 1,505 | 54 | 1,505 | 54 | 1,505 | 54 |
| 24 Dallas..... | 1,984 | 12 | 1,987 | 12 | 1,984 | 12 | 1,984 | 12 |
| 25 DeKalb..... | 5,634 | 3,580 | 5,598 | 3,602 | 5,664 | 3,567 | 5,667 | 3,567 |
| 26 Elmore..... | 2,552 | 30 | 2,552 | 30 | 2,552 | 30 | 2,552 | 30 |
| 27 Escambia..... | 1,278 | 12 | 1,279 | 12 | 1,279 | 12 | 1,277 | 11 |
| 28 Etowah..... | 4,567 | 485 | 4,567 | 484 | 4,569 | 484 | 4,567 | 481 |
| 29 Fayette..... | 1,299 | 434 | 1,296 | 433 | 1,306 | 425 | 1,301 | 422 |
| 30 Franklin..... | 2,946 | 1,980 | 2,935 | 2,007 | 2,963 | 1,988 | 2,557 | 1,995 |
| 31 Geneva..... | 1,679 | 41 | 1,664 | 43 | 1,680 | 42 | 1,681 | 41 |
| 32 Greene..... | 757 | 5 | 760 | 4 | 758 | 5 | 758 | 5 |
| 33 Hale..... | 961 | 1 | 962 | | 964 | 1 | | |
| 34 Henry..... | 931 | 4 | 931 | 4 | 931 | 4 | 932 | 4 |
| 35 Houston..... | 1,878 | 51 | 1,882 | 55 | 1,879 | 54 | 1,901 | 58 |
| 36 Jackson..... | 1,865 | 315 | 1,866 | 316 | 1,879 | 294 | 1,878 | 331 |
| 37 Jefferson..... | 29,605 | 1,957 | 29,336 | 1,983 | 29,369 | 1,945 | 29,775 | 1,957 |
| 38 Lamar..... | 1,664 | 69 | 1,667 | 71 | 1,668 | 70 | 1,668 | 71 |
| 39 Lauderdale..... | 2,714 | 234 | 2,708 | 242 | 2,720 | 232 | 2,731 | 224 |
| 40 Lawrence..... | 1,589 | 201 | 1,597 | 197 | 1,594 | 199 | 1,597 | 203 |
| 41 Lee..... | 1,431 | 21 | 1,434 | 20 | 1,438 | 19 | 1,432 | 46 |

NOVEMBER 5th GENERAL ELECTION

| COUNTIES | Democrat St. Treasurer John Brandon | Republican St. Treasurer I. R. Ensey | Democrat Supt. Ed. A. R. Meadows | Republican Supt. Ed. Fred Allen | Democrat Com. Agri. Haygood Paterson | Republican Com. Agri. J. N. Dennis | Democrat Attorney General A. A. Carmichael | Republican Attorney General Jere Murphy |
|--------------------|---|--|--|---------------------------------------|--|--|--|---|
| 42 Limestone..... | 1,930 | 15 | 1,927 | 16 | 1,925 | 15 | 1,929 | 16 |
| 43 Lowndes..... | 707 | 2 | 708 | 2 | 709 | 1 | 707 | 1 |
| 44 Macon..... | 852 | 12 | 851 | 11 | 854 | 13 | 859 | 9 |
| 45 Madison..... | 3,786 | 105 | 3,782 | 112 | 3,791 | 80 | 3,742 | 133 |
| 46 Marengo..... | 1,339 | 6 | 1,343 | 5 | 1,341 | 5 | 1,343 | 3 |
| 47 Marion..... | 1,749 | 453 | 1,723 | 468 | 1,731 | 461 | 1,773 | 457 |
| 48 Marshall..... | 2,327 | 311 | 2,332 | 318 | 2,278 | 312 | 2,337 | 291 |
| 49 Mobile..... | 5,014 | 487 | 4,968 | 501 | 4,957 | 479 | 5,090 | 475 |
| 50 Monroe..... | 1,274 | 4 | 1,274 | 5 | 1,273 | 4 | 1,271 | 6 |
| 51 Montgomery..... | 5,871 | 120 | 5,865 | 122 | 5,962 | 113 | 5,937 | 114 |
| 52 Morgan..... | 3,084 | 175 | 3,106 | 178 | 3,097 | 181 | 3,042 | 179 |
| 53 Perry..... | 911 | 4 | 913 | 4 | 912 | 4 | 913 | 4 |
| 54 Pickens..... | 1,326 | 18 | 1,323 | 16 | 1,330 | 17 | 1,294 | 16 |
| 55 Pike..... | 1,602 | 9 | 1,598 | 10 | 1,602 | 9 | 1,611 | 10 |
| 56 Randolph..... | 1,744 | 244 | 1,742 | 247 | 1,746 | 243 | 1,751 | 243 |
| 57 Russell..... | 1,036 | 7 | 1,037 | 6 | 1,038 | 6 | 1,035 | 7 |
| 58 Shelby..... | 2,367 | 878 | 2,331 | 1,058 | 2,380 | 892 | 2,399 | 879 |
| 59 St. Clair..... | 2,164 | 1,155 | 2,139 | 1,180 | 2,170 | 1,162 | 2,162 | 1,164 |
| 60 Sumter..... | 1,011 | 10 | 1,010 | 10 | 1,014 | 9 | 1,007 | 10 |
| 61 Talladega..... | 2,586 | 212 | 2,606 | 230 | 2,536 | 221 | 2,632 | 211 |
| 62 Tallapoosa..... | 2,458 | 43 | 2,458 | 43 | 2,458 | 43 | 2,458 | 43 |
| 63 Tuscaloosa..... | 3,809 | 76 | 3,821 | 78 | 3,807 | 79 | 3,804 | 77 |
| 64 Walker..... | 4,805 | 362 | 4,728 | 1,399 | 4,715 | 1,338 | 4,781 | 1,262 |
| 65 Washington..... | 1,038 | 5 | 1,041 | 5 | 1,040 | 4 | 1,042 | 2 |
| 66 Wilcox..... | 1,163 | 3 | 1,163 | 3 | 1,163 | 3 | 1,163 | 3 |
| 67 Winston..... | 988 | 144 | 983 | 1,146 | 998 | 1,145 | 1,009 | 1,153 |
| | 164,318 | 22,358 | 163,708 | 22,909 | 163,911 | 22,395 | 163,381 | 22,351 |

The Speaker of the House, Hon. W. M. Beck, then declared that Hon. J. E. Folsom, J. C. Inzer, A. A. Carmichael, Dan Thomas, Sibyl Pool, John Brandon, A. R. Meadows, Haygood Paterson, were duly and constitutionally elected to the office of Governor, Lieutenant-Governor, Attorney General, State Auditor, Secretary of State, State Treasurer, Superintendent of Education, and Commissioner of Agriculture and Industries, respectively, for the term prescribed by law.

The purpose of the joint session having been accomplished, the Senate retired to its Chamber.

RECESS

On motion of Mr. McGowin the House recessed until three o'clock this afternoon.

AFTERNOON SESSION

The hour of three o'clock P.M. having arrived the House re-convened.

STATE OF ALABAMA
Legislative Council
Montgomery 4

January 15, 1947.

NOTICE TO THE HOUSE OF REPRESENTATIVES:

Act No. 152 of the 1945 Legislature requires that the State Legislative Council, composed of six Representatives elected by the House at each regular session, four Senators elected by the Senate, the Speaker of the House of Representatives, and the President of the Senate, report to each session of the Legislature its suggestions for legislation.

The Legislative Council's report to the 1947 Legislature was completed on January 4, 1947, and since that time has been printed. A copy today has been deposited on each Representative's desk for his review, if he wishes, at this time; and a copy has been mailed to his home address for future reference. As required by law, 250 copies have been deposited with the State Department of Archives and History for distribution to the public. Additional copies are available at the office of the Legislative Reference Service.

It is requested that this notice be recorded in the Journal of the House.

Respectfully submitted,
PRESENT REPRESENTATIVES, MEMBERS OF THE
LEGISLATIVE COUNCIL

Paul Coburn
W. L. Martin, Jr.
C. D. Norman

RESOLUTIONS

The following resolutions were introduced:

By Mr. Snodgrass:

H.J.R. 8. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. That there are hereby created an Interim Committee on Finance and Taxation, an Interim Committee on Education, an

Interim Committee on Highways, an Interim Committee on Health and Public Welfare, an Interim Committee on Agriculture, and an Interim Committee on Judiciary to serve during the interim between this organizational session of the Legislature and the Regular Session of the Legislature to be held in May, 1947. The members of each Interim Committee shall consist of three members from the Senate to be appointed by the presiding officer of the Senate and five members from the House of Representatives to be appointed by the Speaker of the House. The Lieutenant Governor of Alabama and the Speaker of the House of Representatives shall be ex-officio members of each committee and shall receive the compensation of a member of a committee. When the members of said interim committees shall have been named as herein provided, the members of each of said committees shall select a chairman and vice-chairman thereof. The members of said committees shall give all the time necessary to carrying out the duties of the committees herein provided for. Each interim committee hereby created shall commence the performance of its duties as soon after this organizational session of the Legislature as may be practicable.

2. The Committee on Finance and Taxation is authorized and it shall be its duty to make a careful study of the financial conditions of the State and the laws having to do with taxation. The Committee on Education is authorized and it shall be its duty to make a careful and proper study of the educational laws and needs of Alabama. The Committee on Highways is authorized and it shall be its duty to make a careful and proper study of the highway laws of the State and the needs of Alabama in connection with the highways. The Committee on Judiciary is authorized and it shall be its duty to make a careful and proper study of the judicial system, laws and rules of the courts of the State, and other needs of Alabama in this regard. The Committee on Health and Public Welfare is authorized and it shall be its duty to make a proper and careful study of the health laws of the State and the needs of Alabama and make a careful and proper study of the welfare laws and needs of Alabama. The Committee on Agriculture is authorized and it shall be its duty to make a careful and proper study of the agricultural laws and needs of Alabama. Each committee shall report its findings and recommendations to the Legislature when it reconvenes in May, 1947.

3. The Chairman of each committee, created under this joint resolution, shall be empowered to employ one clerk who shall serve the committee presided over by such chairman, and such clerk shall be paid as provided by Section 13, Title 32, of Code of 1940.

4. The compensation and expenses of the members of said committees shall be the compensation and expenses now provided by law under Section 13, Title 32, Code of 1940. The committees

hereby created may remain in session as long as necessary to perform their duties, but, in no event, shall they receive compensation for more than thirty days. The members of said committees shall also receive the same mileage they receive while attending the Legislature, but said members of the committee shall not receive mileage more than once. The chairman of each of said committees shall certify to the Comptroller what is due each member or clerk, who must draw his warrant therefor on the State Treasurer.

On motion of Mr. Snodgrass, consideration of the above and foregoing H.J.R. 8 was postponed until the 8th Legislative Day.

By Mr. Snodgrass:

H.R. 9. To request an advisory opinion of the Supreme Court of Alabama relative to the constitutionality of a resolution pending before the Legislature which is a proposal to create legislative interim committees.

WHEREAS the Legislature of Alabama has pending before it at its organizational session a proposal to create by joint resolution six interim committees of the Legislature, and

WHEREAS an amendment to the CONSTITUTION OF ALABAMA, ratified November 5, 1946, provides:

The legislature shall convene on the second Tuesday in January next succeeding their election and shall remain in session for not longer than ten consecutive calendar days. No business can be transacted at such sessions except the organization of the legislature, the election of officers, the appointment of standing committees of the senate and the house of representatives for the ensuing four years, which election and appointment may, however, also be made at such other times as may be necessary, the opening and publication of the returns and the ascertainment and declaration of the results of the election for governor, lieutenant-governor, attorney-general, state auditor, secretary of state, state treasurer, superintendent of education, and commissioner of agriculture and industries, the election of such officers in the event of a tie vote, the determination of contested elections for such offices, the judging of the election returns and qualification of the members of the legislature, and the inauguration of the governor and the other elected state officers whose terms of office are concurrent with that of the governor.

AND WHEREAS Section 34 of Title 13 of the 1940 Code provides that either house of the Legislature may obtain the written opinion of the Justices of the Supreme Court of Alabama on any important constitutional question, therefore BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

1. The Justices of the Supreme Court are requested to give their written opinion on the following questions:

A.) Is the Legislature's power of creating legislative committees restricted in any manner by the provisions of the constitutional

amendment relating to sessions of the Legislature that was ratified November 5, 1946.

B.) Can the Legislature legally provide for the creation of legislative interim committees by a joint resolution passed at its organizational session.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

By Mr. Snodgrass:

H.J.R. 10. BE IT RESOLVED by the House, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet tomorrow, January 16, at 10 A.M.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 10. Relative to adjournment of the two Houses until tomorrow, Thursday, January 16th, 1947, at 10 A.M.

J. E. Speight,
Secretary.

APPOINTMENT OF SERGEANT-AT-ARMS

The Speaker of the House announced the appointment of Charles Stern as Sergeant-at-Arms.

ADJOURNMENT

On motion of Mr. Snodgrass the House, in accordance with H.J.R. 10 heretofore adopted, adjourned until Thursday, January 16, 1947, at 10 o'clock, A.M.

THIRD DAY

House of Representatives,
Montgomery, Alabama,
Thursday, January 16, 1947.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. John C. Coggin, pastor, Second Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | George | McIlwain | Shirley |
| Adams (Jefferson) | Gibson | Martin | Sightler |
| Barnett | Gillis | Mason | Snodgrass |
| Benford | Givhan | Mathison | Stewart |
| Bennett | Hankins | Meeks | Still |
| Black | Harrison | Merrill | Stone |
| Brassell | Haynes (Franklin) | Miller | Sullivan |
| Broadwater | Haynes (Lowndes) | Mitchell | Taylor (Autauga) |
| Buckner | Head | Nelson | Taylor (Hale) |
| Busby | Hornsby | Nettles | Thagard |
| Bush | Howell | Norman | Thomas |
| Callahan | Ingalls | O'Neal | Thompson (Crenshaw) |
| Coburn | Inzer | Pinkston | Thompson (Pike) |
| Cole | Johnston | Pinson | Tucker |
| Cox | Kaul | Pruitt | Wallace |
| Denton | Knight | Richardson | Ward |
| Dobbs (Fayette) | Larkins | Roberts | Weaver |
| Doughty | Leonard | Robinson | White (Covington) |
| Duffee | Lovelace | Rogers | White (Perry) |
| Faulk | McClendon | Sadler | Wood (Bibb) |
| Frasier | McDanal | Sellers | Wood (Washington) |
| Ganey | McDonald | Shelton | Wright |
| Garrett | McGowin | | |

—90

A quorum was present.

REPORT OF STANDING COMMITTEE
ON REVISION OF THE JOURNAL

Mr. Speaker:

Your Standing Committee on the Revision of the Journal begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

J. P. Shelton,
Chairman.

On motion of Mr. Shelton, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on the Revision of the Journal was concurred in and adopted, and the Journal for the second legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H.J.R. 11. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn

today they adjourn to meet again on Monday, January the 20th at 10 o'clock A.M.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate had amended as therein shown and as amended has adopted the following House Joint Resolution:

H.J.R. 11. Relative to the adjournment of the two Houses until Monday, January 20th, 1947.

And returns same herewith to the House for its consideration.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass, the House concurred in and adopted the Senate amendment to H.J.R. 11, said Senate amendment being as follows:

"Be it resolved by the House, the Senate concurring, that when the two houses adjourn today, they meet at 2:00 P.M. on Monday, January 20th, 1947."

ADJOURNMENT

On motion of Mr. Snodgrass, the House, in accordance with H.J.R. 11 heretofore adopted, adjourned until Monday, January 20, 1947, at 2:00 o'clock, P.M.

SEVENTH DAY

House of Representatives,
Montgomery, Alabama,
Monday, January 20, 1947.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. John C. Coggin, pastor of the Second Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Faulk | McDanal | Sellers |
| Adams (Dale) | Frasier | McDonald | Shelton |
| Adams (Jefferson) | Ganey | McGowin | Shirley |
| Barnett | Garrett | McIlwain | Sightler |
| Beatty | George | Malone | Snodgrass |
| Benford | Gibson | Martin | Still |
| Bennett | Gillis | Mason | Stone |
| Brannan | Givhan | Mathison | Sullivan |
| Brassell | Hankins | Meeks | Taylor (Autauga) |
| Broadwater | Harris | Merrill | Thagard |
| Brown | Harrison | Miller | Thomas |
| Buckner | Haynes (Franklin) | Mitchell | Thompson (Crenshaw) |
| Busby | Haynes (Lowndes) | Molette | Thompson (Pike) |
| Bush | Head | Nelson | Tucker |
| Callahan | Hornsby | Nettles | Vann |
| Cobb | Howell | Norman | Wallace |
| Coburn | Ingalls | O'Neal | Ward |
| Cox | Inzer | Pinkston | Weaver |
| Crocker | Johnston | Pinson | Whitcomb |
| Davis | Kaul | Pruitt | White (Covington) |
| Denton | Knight | Richardson | White (Perry) |
| Dobbs (Fayette) | Larkins | Roberts | Wood (Bibb) |
| Doughty | Leonard | Robinson | Wood (Washington) |
| Duffee | Lovelace | Rogers | Wright |
| Dumas | McClendon | Sadler | |

—99

A quorum was present.

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your Standing Committee on the Revision of the Journal begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

J. P. Shelton,
Chairman.

On motion of Mr. Shelton, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on the Revision of the Journal was concurred in and adopted, and the Journal for the third legislative day was approved.

APPOINTMENT OF RULES COMMITTEE

The Speaker of the House announced the appointment of the following members on the Rules Committee:

1. Beck, Chairman, DeKalb County
2. Snodgrass, Vice-Chairman, Jackson County
3. Roberts, Etowah County
4. Adams, Jefferson County
5. Ingalls, Montgomery County

6. Cox, Chilton County
7. Coburn, Colbert County
8. Thompson, Crenshaw County
9. McGowin, Butler County
10. Sullivan, Mobile County
11. Harris, Morgan County
12. Duffee, Tallapoosa County
13. Pruitt, Sumter County
14. Adams, Dale County
15. Still, Chambers County

RESOLUTIONS

The following resolutions were introduced:

By Mr. Snodgrass:

H.J.R.12. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the Senate concurring, that a joint committee of five, consisting of three members on the part of the House to be appointed by the Speaker and two on the part of the Senate to be appointed by the presiding officer of that body, be named to wait upon the Governor of Alabama, informing him of the organization of the Legislature and its readiness to receive any communication he might desire to transmit.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

And the Speaker named as a committee on the part of the House: Messrs. Larkins, Buckner and Barnett.

Also:

By Mr. Snodgrass:

H.J.R. 13. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. That there are hereby created an Interim Committee on Finance and Taxation, an Interim Committee on Education, an Interim Committee on Highways, an Interim Committee on Health and Public Welfare, an Interim Committee on Agriculture, and an Interim Committee on Judiciary to serve during the interim between this organizational session of the Legislature and the Regular Session of the Legislature to be held in May, 1947. The members of each Interim Committee shall consist of three members from the Senate to be appointed by the presiding officer of the Senate and five members from the House of Representatives to be appointed by the Speaker of the House. The Lieutenant Governor of Alabama and the Speaker of the House of Representatives shall

be ex-officio members of each committee and shall receive the compensation of a member of a committee. When the members of said interim committees shall have been named as herein provided, the members of each of said committees shall select a chairman and vice-chairman thereof. The members of said committees shall give all the time necessary to carrying out the duties of the committees herein provided for. Each interim committee hereby created shall commence the performance of its duties as soon after this organizational session of the Legislature as may be practicable.

2. The Committee on Finance and Taxation is authorized and it shall be its duty to make a careful study of the financial conditions of the State and the laws having to do with taxation. The Committee on Education is authorized and it shall be its duty to make a careful and proper study of the educational laws and needs of Alabama. The Committee on Highways is authorized and it shall be its duty to make a careful and proper study of the highway laws of the State and the needs of Alabama in connection with the highways. The Committee on Judiciary is authorized and it shall be its duty to make a careful and proper study of the judicial system, laws and rules of the courts of the State, and other needs of Alabama in this regard. The Committee on Health and Public Welfare is authorized and it shall be its duty to make a proper and careful study of the health laws of the State and the needs of Alabama and make a careful and proper study of the welfare laws and needs of Alabama. The Committee on Agriculture is authorized and it shall be its duty to make a careful and proper study of the agricultural laws and needs of Alabama. Each committee shall reports its findings and recommendations to the Legislature when it reconvenes in May, 1947.

3. The employees of each Committee created under this joint resolution shall be employed and paid as provided by Section 13, Title 32 of Code of 1940.

4. The compensation and expenses of the members of said committees shall be the compensation and expenses now provided by law under Section 13, Title 32, Code of 1940.

And the H.J.R. 13 was referred to the Standing Committee on Rules.

LEAVE OF ABSENCE

On motion of Mr. Braswell leave of absence was granted to Mr. Cole, because of illness.

On motion of Mr. Stone, leave of absence was granted to Mr. Sullivan because of illness in his family.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following joint

resolution and sends same herewith to the House for its consideration:

By Mr. Swift:

S.J.R. 4. Resolved by the Senate, the House of Representatives concurring, that the Secretary of the Senate and the Clerk of the House be and they are hereby authorized to employ two stenographers each to serve in their respective offices during the interim between this Organizational Session and the Regular Session of the Legislature to convene May 6th, 1947, and their per diem shall be the same as that prescribed in the code for assistants to the Secretary of the Senate and the Clerk of the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the S.J.R. 4 set out in the above and foregoing message from the Senate, was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

By Mr. Henderson:

S.J.R. 5. BE IT RESOLVED by the Senate, the House concurring that when the two houses adjourn today they adjourn to meet again tomorrow, Tuesday, January 21st, 1947, at 10:00 A.M.

And sends same herewith to the House for its consideration.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the S.J.R. 5, set out in the above and foregoing message from the Senate, was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 12. Relative to advising the Governor of the readiness of the Legislature to enact business.

And the President and Presiding Officer of the Senate appointed as committee on part of the Senate Messrs. Swift and Langan.

J. E. Speight,
Secretary.

REPORT OF RULES COMMITTEE

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said Committee in session, had acted on the following resolution and ordered same returned to the House with a favorable report:

By Rules Committee:

H.R. 14. BE IT RESOLVED by the House of Representatives that the rules of 1945 Regular Session be adopted as the permanent rules of the House for this the Organizational Session, all Regular Sessions, and all Special Sessions of the Legislature. Except:

1. That Rule 21 shall read as follows:

"21. The Speaker shall appoint a Reading Clerk for the House whose pay shall be the same as that of the Clerk of the House. The Speaker shall also appoint all committees unless otherwise directed by the House and may designate who shall be Chairman and vice-chairman, provided, however, a majority of each Committee shall constitute a quorum, and the following shall constitute the Standing Committees of the House."

Rules of which the Speaker shall be Chairman, and which Committee shall have the right to report at any time:

Judiciary

Ways and Means

Constitution and Elections

Education

Public Welfare

Health

Business and Labor

Transportation

Agriculture

Conservation

Local Government

State Administration

Local Legislation

2. That Rule 27 paragraphs 1 and 2 shall be consolidated and shall read:

"Report of the Committee on Rules", and paragraph 4 shall be paragraph 2. Paragraph 3 shall remain as paragraph 3. Paragraph 5 shall be paragraph 4. Paragraph 6 shall be paragraph 5.

3. That Rule 60 shall read as follows:

"60. All bills carrying appropriations, when previously referred to another committee and reported favorably, shall be referred to the Committee on Ways and Means before being placed on the calendar, and shall by the Committee on Ways and Means be acted upon and returned to the House within two weeks after being referred to it."

4. That Rules 36 and 44 shall be combined as rule 36 to read as follows:

"All bills shall be introduced in duplicate and shall be dispatched in order as they are introduced unless the House otherwise directs. No bill or joint resolution shall be received unless written on an entire sheet of paper."

5. That Rule 45 shall be numbered 44. That Rule 46 shall be numbered 45. That Rule 47 shall be numbered 46. That Rule 48 shall be numbered 47. That Rule 49 shall be numbered 48. That Rule 50 shall be numbered 49. That Rule 51 shall be numbered 50. That Rule 52 shall be numbered 51. That Rule 53 shall be numbered 52. That Rule 54 shall be numbered 53. That Rule 55 shall be numbered 54. That Rule 56 shall be numbered 55. That Rule 57 shall be numbered 56. That Rule 58 shall be numbered 57. That Rule 59 shall be numbered 58. That Rule 60 shall be numbered 59.

On motion of Mr. McGowin the resolution was adopted.

ADJOURNMENT

On motion of Mr. Wood of Washington the House adjourned until Tuesday, January 21, 1947, at 10 o'clock, A.M.

EIGHTH DAY

House of Representatives,
Montgomery, Alabama,
Tuesday, January 21, 1947.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Blount F. Davidson, **Superintendent of Missions, Baptist Association, Montgomery, Alabama.**

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Evans | McDanal | Sellers |
| Adams (Dale) | Faulk | McDonald | Shelton |
| Adams (Jefferson) | Frasier | McGowin | Shirley |
| Barnett | Ganey | McIlwain | Sightler |
| Beatty | Garrett | Malone | Snodgrass |
| Benford | George | Martin | Stewart |
| Bennett | Gibson | Mason | Still |
| Black | Gillis | Mathison | Stone |
| Brannan | Givhan | Meeks | Sullivan |
| Brassell | Hankins | Merrill | Taylor (Autauga) |
| Broadwater | Harris | Miller | Taylor (Hale) |
| Brown | Harrison | Mitchell | Thagard |
| Buckner | Haynes (Franklin) | Molette | Thomas |
| Busby | Haynes (Lowndes) | Nelson | Thompson (Crenshaw) |
| Bush | Head | Nettles | Thompson (Pike) |
| Callahan | Hornsby | Norman | Tucker |
| Coburn | Howell | O'Neal | Vann |
| Cox | Ingalls | Pinkston | Wallace |
| Crocker | Inzer | Pinson | Ward |
| Davis | Johnston | Pruitt | Weaver |
| Denton | Kaul | Ramey | Whitcomb |
| Dobbs (Elmore) | Knight | Richardson | White (Covington) |
| Dobbs (Fayette) | Larkins | Roberts | White (Perry) |
| Doughty | Leonard | Robinson | Wood (Bibb) |
| Duffee | Lovelace | Rogers | Wood (Washington) |
| Dumas | McClendon | Sadler | Wright |

—104

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventh legislative day was approved.

OATH OF OFFICE

The oath of office was administered to Harley M. Dobbs, of Elmore County, by Hon. W. M. Beck, Speaker of the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S.J.R. 2. Relative to adoption of Joint Rules of 1943 to govern for the quadrennium, 1947 - 1951.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,
O. H. FINNEY, JR.,
Secretary to the Governor.

JANUARY 21, 1947

To the House of Representatives
Montgomery, Alabama

Gentlemen:

I wish to extend to you my heartiest congratulations for the speedy and efficient manner in which you have transacted the business before you at this session.

I am looking forward to four years of harmonious cooperation with all of the members of the Legislature as we work together in enacting into law the program of the people of Alabama.

I extend my best wishes to the entire membership of the Legislature.

Cordially,
JAMES E. FOLSOM,
Governor.

REPORT OF COMMITTEE ON RULES

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the House with a favorable report with a substitute, said committee substitute being as follows:

By Rules Committee:

SUBSTITUTE FOR H.J.R. 13

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. There are hereby created an Interim Committee on Finance and Taxation, an Interim Committee on Education, an Interim Committee on Highways, an Interim Committee on Health, Public Welfare, Veterans' Legislation, and Housing, an Interim Committee on Agriculture, an Interim Committee on Judiciary, and an Interim Committee on Conservation, which committees shall serve during the interim between this organizational session of the Legislature and the regular session of the Legislature to be held in May, 1947. The members of each interim committee shall consist of four members of the Senate to be appointed by the presiding officer of the Senate and ten members of the House of Representatives to be appointed by the Speaker of the House. The Lieutenant-Governor of Alabama and the Speaker of the House of Representatives shall be ex officio members of each interim committee. The Speaker of the House and the presiding officer of the Senate jointly shall designate a chairman and a vice-chairman for each committee. Each interim committee hereby created shall commence the performance of its duties as soon after this organizational session of the Legislature as may be practicable; but no committee may meet for more than thirty days unless it has not completed its work within thirty days and the Governor, upon the committee's application, allows additional time; in any event, however, no committee may meet for more than sixty days.

2. The Committee on Finance and Taxation is authorized, and it shall be its duty, to make a careful study of the financial condition of the State and the laws having to do with taxation. The Committee on Education is authorized, and it shall be its duty, to make a careful and proper study of the educational laws and needs of Alabama. The Committee on Highways is authorized, and it shall be its duty, to make a careful and proper study of the highway laws of the State and the needs of Alabama in connection with highways. The Committee on Health, Public Welfare, Veterans' Legislation, and Housing is authorized, and it shall be its duty, to make a proper and careful study of the laws of the State and the needs of Alabama relative to health, public welfare, veterans, and housing. The Committee on Agriculture is authorized, and it shall be its duty, to make a careful and proper study of the agricultural laws and needs of Alabama. The Committee on Judiciary is authorized, and it shall be its duty, to make a careful and proper study of the judicial system, laws and rules of the courts of the State, and other needs of Alabama pertaining to the courts. The Committee on Conservation is authorized, and it shall be its duty, to ascertain ways and means for developing and more effectively using the natural resources of this State. Each committee shall report its findings

and recommendations to the Legislature at the time the Legislature requires.

3. The chairman of each committee is authorized to employ such clerks as may be necessary for the committee's work, and these clerks shall be paid as provided by Section 13 of title 32 of the Code of 1940.

4. The compensation and expenses of the appointed members of the committees shall be the compensation and expenses now provided by Section 13 of Title 32 of the Code of 1940. Ex officio members of the committee shall receive compensation and expenses at the same rate as appointed members, but they shall be entitled to compensation during the entire time in which any committee is in session.

5. No member of any committee shall receive compensation for any day on which he did not attend the meeting of his committee.

And the substitute for H.J.R. 13 reported by the Standing Committee on Rules was adopted. And the H.J.R. 13 as amended by the substitute reported by the Committee on Rules was adopted.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Snodgrass:

H.J.R. 15. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. During the interim between this organizational session of the Legislature and the regular session in May, next, and upon such date as the Speaker of the House and the Lieutenant-Governor shall designate, the two houses of the Legislature shall convene as an Interim Committee of the Whole and sit for seven days for the purpose of hearing explanations and reports of the work accomplished by the several interim committees appointed pursuant to H.J.R. 13.

2. The chairmanship of the Committee of the Whole shall be rotated between the Lieutenant-Governor and the Speaker of the House, the Speaker of the House presiding the first day of the session.

3. The compensation and expenses of the Committee of the Whole shall be the compensation and expenses provided for by Section 13 of Title 32 of the 1940 Code and paid from the continuing appropriation provided by Section 14 of Title 32 of the 1940 Code.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 15 was adopted.

By Mr. Barnett:

H.J.R. 16. BE IT RESOLVED by the House, the Senate concurring that when the two houses adjourn today, they adjourn to meet Thursday, January 23, at 10 A.M.

On motion of Mr. Barnett the rules were suspended and the resolution H.J.R. 16 was adopted.

RECESS

On motion of Mr. Martin the House recessed until this afternoon at three o'clock.

AFTERNOON SESSION

The hour of three o'clock P.M. having arrived the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has adopted the following House Joint Resolution:

H.J.R. 13. Relative to creating joint Interim Committees to function between the organizational session and the regular session of 1947.

And returns same herewith to the House for its consideration.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Martin the House non-concurred in the Senate amendment to the Resolution H.J.R. 13, said Senate amendment being as follows:

Amend Section 1 of H.J.R. 13 by striking therefrom the last sentence of said Section, said sentence beginning with the words "Each Interim Committee" and substituting therefor the following:

"Each of said committees shall meet between the first Tuesday in February, 1947, and the first Friday in April, 1947, and complete its work by the first Friday in April, 1947, but no committee may meet for more than thirty days unless it has not completed its work within thirty days and the Governor, upon the committee's application, allows additional time; in any event, however, no committee may meet for more than sixty days. Vacancies on Committees shall be filled in like manner as original appointments."

Substitute paragraph 4 as amended of H.J.R. 13.

4. The pay of the appointed members of the committees shall be ten dollars per day. Each appointed member of the committees shall be paid ten cents per mile in going from his residence, and in returning to his residence from, the seat of government, to be computed by the nearest usual route traveled; and not more than one such travel allowance shall be paid. In addition to his travel allowance, each appointed member of the committees also shall be allowed expenses, other than actual expenses of traveling, to be

paid at the rate of ten dollars for each day on which he is entitled to pay under the provisions of this resolution.

Ex-officio members of the committees shall receive compensation and expenses, as provided by law, but they shall not receive compensation and expenses for serving on more than one committee on any one day.

Strike Section 5 thereof.

On motion of Mr. Martin, a Committee of Conference was requested on the disagreement of the two houses on the Senate amendment to the resolution, H.J.R. 13.

The Speaker of the House named as the Committee of Conference on the part of the House on the disagreement of the two houses on the Senate amendment to the resolution, H.J.R. 13, Messrs. Snodgrass, Martin and Gibson.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and as amended has adopted the following House Joint Resolution:

H.J.R. 15. Relative to the two Houses convening as an Interim Committee of the Whole and sitting for seven days for the purpose of hearing explanations and reports of the work accomplished by the several interim committees appointed pursuant to H.J.R. 13.

And returns same herewith to the House for its consideration.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Martin, the House concurred in and adopted the Senate amendment to the resolution, H.J.R. 15, said Senate amendment being as follows:

Amend Section 3 thereof as follows:

Section 3. The compensation and expenses of the Committee of the Whole shall be the compensation and expenses provided by law for interim committees for 1947, and shall be paid from the continuing appropriation provided by Section 14 of Title 32 of the 1940 Code of Alabama.

AMENDMENT TO H.J.R. NO. 15

Amend H.J.R. 15 by striking therefrom the words and figures "7" wherever the same appear in said Resolution and substituting in lieu thereof the words and figures "3".

And the resolution, H.J.R. 15, as amended by the Senate amendment, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for Committee on Conference on the disagreement of the two Houses on the Senate amendment to the resolution:

H.J.R. 13. Relative to creating Interim Committees to function between Organizational Session and Regular Session of 1947.

And the President and Presiding Officer of the Senate appointed as conferees on the part of the Senate Messrs. Henderson, Langan and Boutwell.

J. E. Speight,
Secretary.

REPORT OF CONFERENCE COMMITTEE

Mr. Snodgrass from the Committee of Conference heretofore appointed on the disagreement of the two houses on the Senate amendment to the resolution, H.J.R. 13, made the following report:

CONFERENCE COMMITTEE'S REPORT

1. The conference committee agrees to accept the Senate amendment to H.J.R. 13 which is as follows:

"Amend Section 1 of H.J.R. 13 by striking therefrom the last sentence of said Section, said sentence beginning with the words 'Each Interim Committee' and substituting therefor the following:

"Each of said committees shall meet between the first Tuesday in February, 1947, and the first Friday in April, 1947, and complete its work by the first Friday in April, 1947, but no committee may meet for more than thirty days unless it has not completed its work within thirty days and the Governor, upon the committee's application, allows additional time; in any event, however, no committee may meet for more than sixty days. Vacancies on Committees shall be filled in like manner as original appointments."

2. The committee has agreed that the following shall be substituted as paragraph 4 of H.J.R. 13:

"4. The pay of the appointed members of the committee shall be ten dollars per day. Each appointed member of the committees shall be paid ten cents per mile in going from his residence, and in returning to his residence from, the seat of government, to be computed by the nearest usual route traveled; and not more than one such travel allowance shall be paid. In addition to his travel allowance, each appointed member of the committees also shall be allowed expenses, other than actual expenses of traveling, to be paid at the rate of eight dollars for each day on which he is entitled to pay under the provisions of this resolution. On any day upon which a committee shall meet and any member thereof shall

not be present at such meeting, such member shall receive no compensation or expenses for such day.

"Ex-officio members of the committees shall receive compensation and expenses, as provided by law, but they shall not receive compensation and expenses for serving on more than one committee on any one day."

3. The committee proposes that the following shall be added to H.J.R. 13 as paragraph 5:

"The provisions of this resolution are declared to be severable; if any provision is held to be invalid, the remainder shall not be affected thereby."

RESPECTFULLY SUBMITTED,

J. M. Snodgrass
W. L. Martin, Jr.
Wallace Gibson
Conferees on the Part of the House.

J. Bruce Henderson
Albert Boutwell
Joseph N. Langan
Conferees on the Part of the Senate.

On motion of Mr. Snodgrass, the report of the Committee of Conference on the disagreement of the two houses on the Senate amendment to the resolution, H.J.R. 13, was concurred in and adopted.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Doughty | Martin | Shelton |
| Adams (Dale) | Duffee | Mason | Shirley |
| Adams (Jefferson) | Ganey | Mathison | Sightler |
| Barnett | Garrett | Meeks | Snodgrass |
| Beatty | George | Merrill | Stone |
| Benford | Gibson | Miller | Sullivan |
| Black | Gillis | Mitchell | Taylor (Autanga) |
| Brannan | Hankins | Nelson | Taylor (Hale) |
| Broadwater | Haynes (Franklin) | Nettles | Thagard |
| Buckner | Head | O'Neal | Thompson (Crenshaw) |
| Busby | Hornsby | Pinkston | Thompson (Pike) |
| Bush | Ingalls | Pinson | Vann |
| Callahan | Inzer | Pruitt | Wallace |
| Coburn | Johnston | Ramey | Ward |
| Cox | Knight | Richardson | Weaver |
| Crocker | Larkins | Roberts | Whitcomb |
| Davis | Leonard | Robinson | White (Covington) |
| Denton | McDanal | Sadler | White (Perry) |
| Dobbs (Elmore) | Malone | Sellers | Wright |

—76

And said resolution, H.J.R. 13, as amended by the report of the Committee of Conference, was again read and adopted.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Doughty | Malone | Shelton |
| Adams (Dale) | Duffee | Martin | Shirley |
| Adams (Jefferson) | Dumas | Mason | Sightler |
| Barnett | Evans | Mathison | Snodgrass |
| Beatty | Ganey | Meeks | Stone |
| Benford | Garrett | Merrill | Sullivan |
| Black | George | Miller | Taylor (Autauga) |
| Brannan | Gibson | Mitchell | Taylor (Hale) |
| Broadwater | Gillis | Nelson | Thagard |
| Buckner | Hankins | Nettles | Thompson (Crenshaw) |
| Busby | Haynes (Franklin) | O'Neal | Thompson (Pike) |
| Bush | Head | Pinkston | Vann |
| Callahan | Hornsby | Pinson | Wallace |
| Cobb | Ingalls | Pruitt | Ward |
| Coburn | Inzer | Ramey | Weaver |
| Cox | Johnston | Richardson | Whitcomb |
| Crocker | Knight | Roberts | White (Covington) |
| Davis | Larkins | Robinson | White (Perry) |
| Denton | Leonard | Sadler | Wright |
| Dobbs (Elmore) | McDanal | Sellers | |

—79

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution:

By Mr. Langan:

S.J.R. 6. Whereas the members of the Alabama Legislature in the performance of their duties at the State Capitol incur necessary additional expenses for hotel room rent, meals, postage stamps, telegrams, long distance telephone calls, tips et cetera, and

Whereas the electors of Alabama at the General Election in November 1946, approved an amendment to the Constitution of Alabama which provides: "In addition to his travel allowance, each member of the Legislature also shall be allowed expenses, other than actual expenses of traveling, not exceeding an amount to be fixed by the Legislature, incurred in the performance of his duties; but such expense allowance shall not be less than the smallest allowance to any person traveling within the State in the service of the State of Alabama, or any of its agencies, for expenses other than actual expenses of traveling. The provision of this amendment shall become effective at the beginning of the term of the members of the Legislature elected at the general election in 1946." Therefore:

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That the amount of expense allowance to members of the Legislature shall be ten dollars per day for each day of the organizational session and while they are engaged in the performance of their duties as members of interim committees.

And sends same herewith to the House for its consideration.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass, the rules were suspended, and the resolution, S.J.R. 6, was taken up. Mr. Snodgrass offered the following amendment to S.J.R. 6:

Amend S.J.R. 6 by striking out in the second line of paragraph 1 of the resolution the word "ten" and insert in lieu thereof the word "eight".

And said amendment was adopted.

And the resolution, S.J.R. 6, as amended, was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of Committee on Conference on the disagreement of the two Houses on the Senate amendment to the resolution:

H.J.R. 13. Relative to creating Interim Committees to function between Organizational Session and Regular Session of 1947.

And said conference report together with the resolution is herewith returned to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the House amendment to the resolution:

S.J.R. 6. Relative to expense allowance for members of the legislature during the organizational session and in the performance of their duties as members of the Interim Committees.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution:

H.J.R. 16. BE IT RESOLVED by the House, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet Thursday, January 23, at 10 A.M.

And returns same herewith to the House.

J. E. Speight,
Secretary.

ADJOURNMENT

On motion of Mr. Roberts, and pursuant to House Joint Resolution 16 heretofore adopted, the House adjourned until 10 o'clock A.M., Thursday, January 23, 1947.

TENTH DAY

House of Representatives,
Montgomery, Alabama,
Thursday, January 23, 1947.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Welton Gregory, Executive Secretary of the Board of Education, Alabama Conference, Methodist Church.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|-----------|------------|
| Mr. Speaker | Dobbs (Elmore) | Ingalls | Nelson |
| Adams (Dale) | Doughty | Inzer | Nettles |
| Adams (Jefferson) | Duffee | Johnston | Norman |
| Barnett | Dumas | Kaul | O'Neal |
| Beatty | Evans | Knight | Pinkston |
| Benford | Faulk | Larkins | Finson |
| Bennett | Frasier | Leonard | Pruitt |
| Black | Ganey | Lovelace | Ramey |
| Brannan | Garrett | McClendon | Richardson |
| Brassell | George | McDanal | Roberts |
| Broadwater | Gibson | McDonald | Robinson |
| Brown | Gillis | McIlwain | Rogers |
| Buckner | Givhan | Malone | Sadler |
| Busby | Hankins | Martin | Sellers |
| Bush | Harris | Mason | Shelton |
| Callahan | Harrison | Mathison | Shirley |
| Coburn | Haynes (Franklin) | Meeks | Sightler |
| Cox | Haynes (Lowndes) | Merrill | Snodgrass |
| Crocker | Head | Miller | Stewart |
| Davis | Hornsby | Mitchell | Still |
| Denton | Howell | Molette | Stone |

| | | | |
|---------------------|-----------------|-------------------|-------------------|
| Sullivan | Thompson (Pike) | Ward | White (Perry) |
| Taylor (Autauga) | Tucker | Weaver | Wood (Bibb) |
| Thagard | Vann | Whitcomb | Wood (Washington) |
| Thomas | Wallace | White (Covington) | Wright |
| Thompson (Crenshaw) | | | |

—101

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Speaker:

Your Standing Committee on Rules, reports that it has examined the following House joint resolutions:

H.J.R. 13. Relative to the appointment of Interim Committees to function between the Organizational and Regular Session of 1947.

H.J.R. 15. Relative to the Interim Committee convening as a whole for the purpose of hearing explanations and reports accomplished by the several interim Committees.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF RESOLUTIONS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Engrossed and Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following S.J.R. your signature thereto is requested:

S.J.R. 6. Relative to: Expense allowance to members of the Legislature.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

ANNOUNCEMENT OF STANDING COMMITTEES OF THE HOUSE

The Speaker of the House announced the following standing committees of the House:

STANDING COMMITTEES FOR THE HOUSE OF REPRESENTATIVES

RULES

| | |
|--|---------------------------|
| Beck, <i>Chairman</i> , DeKalb County | Thompson, Crenshaw County |
| Snodgrass, <i>Vice-Chairman</i> , Jackson County | McGowin, Butler County |
| Roberts, Etowah County | Sullivan, Mobile County |
| Adams, Jefferson County | Harris, Morgan County |
| Ingalls, Montgomery County | Duffee, Tallapoosa County |
| Cox, Chilton County | Pruitt, Sumter County |
| Coburn, Colbert County | Adams, Dale County |
| | Still, Chambers County |

JUDICIARY

| | |
|---|----------------------------|
| Roberts, <i>Chairman</i> , Etowah County | Harris, Morgan County |
| Gibson, <i>Vice-Chairman</i> , Jefferson County | Inzer, St. Clair County |
| Davis, Madison County | Ingalls, Montgomery County |
| Merrill, Cleburne County | Brannan, Baldwin County |
| McIlwain, Bullock County | Evans, Choctaw County |
| Barnett, Lauderdale County | Meeks, Jefferson County |
| Wallace, Barbour County | Brassell, Russell County |
| | McDanal, Walker County |

STANDING COMMITTEES FOR THE HOUSE OF REPRESENTATIVES

WAYS AND MEANS

| | |
|--|------------------------------|
| Brown, <i>Chairman</i> , Lee County | Larkins, Coffee County |
| Haynes, <i>Vice-Chairman</i> , Franklin County | White, Covington County |
| Snodgrass, Jackson County | Nelson, Clay County |
| Norman, Bullock County | Buckner, Cullman County |
| Shelton, Tuscaloosa County | Broadwater, Limestone County |
| Rogers, Lauderdale County | Wallace, Barbour County |
| Gibson, Jefferson County | Thagard, Butler County |
| | Johnston, Mobile County |

CONSTITUTION AND ELECTIONS

| | |
|---|-----------------------------|
| Barnett, <i>Chairman</i> , Lauderdale County | Sightler, Montgomery County |
| Merrill, <i>Vice-Chairman</i> , Cleburne County | Cox, Chilton County |
| Benford, Marshall County | Molette, Dallas County |
| Evans, Choctaw County | Whitcomb, Marengo County |
| Inzer, St. Clair County | Adams, Jefferson County |
| Knight, Henry County | Garrett, Monroe County |
| Dumas, Jefferson County | Howell, Calhoun County |
| | Mason, Perry County |

EDUCATION

| | |
|--|-----------------------------|
| White, <i>Chairman</i> , Covington Co. | Sellers, Tallapoosa County |
| Miller, <i>Vice - Chairman</i> , Etowah County | Nelson, Clay County |
| Dumas, Jefferson County | Buckner, Cullman County |
| Broadwater, Limestone County | McGowin, Butler County |
| Ganey, Talladega County | Ward, Lee County |
| Haynes, Franklin County | Duffee, Tallapoosa County |
| Faulk, Geneva County | Lovelace, Escambia County |
| | Callahan, Tuscaloosa County |

PUBLIC WELFARE

| | |
|--|-----------------------------|
| Thompson, <i>Chairman</i> , Crenshaw County | Nettles, Conecuh County |
| Leonard, <i>Vice-Chairman</i> , Talladega County | O'Neal, Jackson County |
| Stone, Mobile County | Gillis, Clarke County |
| Shelton, Tuscaloosa County | Cole, Russell County |
| George, Randolph County | Wood, Washington County |
| Black, Walker County | Pinkston, Montgomery County |
| Pinson, Sumter County | Howell, Calhoun County |
| | Hornsby, Elmore County |

STANDING COMMITTEES
FOR THE HOUSE OF REPRESENTATIVES

HEALTH

| | |
|--|--------------------------|
| Ganey, <i>Chairman</i> , Talladega Co. | Hankins, Lamar County |
| Denton, <i>Vice - Chairman</i> , Blount County | McIlwain, Bullock County |
| Weaver, Winston County | Beatty, Jefferson County |
| Wright, Marion County | Taylor, Autauga County |
| Still, Chambers County | Thomas, Barbour County |
| Wood, Bibb County | Malone, Houston County |
| Doughty, Pickens County | Sullivan, Mobile County |
| | Harrison, Wilcox County |

BUSINESS AND LABOR

| | |
|--|---------------------------|
| Pinkston, <i>Chairman</i> , Montgomery County | Mathison, Henry County |
| Nettles, <i>Vice-Chairman</i> , Conecuh County | Dobbs, Fayette County |
| Busby, Montgomery County | Ward, Lee County |
| Bush, Macon County | Leonard, Talladega County |
| Black, Walker County | Martin, Greene County |
| Beatty, Jefferson County | Malone, Houston County |
| Sadler, Jefferson County | Dobbs, Elmore County |
| | Larkins, Coffee County |

TRANSPORTATION

| | |
|--|---------------------------|
| Davis, <i>Chairman</i> , Madison County | Crocker, Marengo County |
| Wright, <i>Vice-Chairman</i> , Marion County | George, Randolph County |
| Stone, Mobile County | O'Neal, Jackson County |
| Benford, Marshall County | Mitchell, Cherokee County |
| Bush, Macon County | Denton, Blount County |
| Richardson, Lawrence County | Sadler, Jefferson County |
| Rogers, Lauderdale County | Robinson, Lowndes County |
| | White, Perry County |

AGRICULTURE

| | |
|---|----------------------------|
| Hankins, <i>Chairman</i> , Lamar County | Coburn, Colbert County |
| Garrett, <i>Vice-Chairman</i> , Monroe County | Vann, Madison County |
| Dobbs, Elmore County | Ramey, Hale County |
| Stewart, Morgan County | Thagard, Butler County |
| Givhan, Dallas County | McDonald, Coosa County |
| Thompson, Pike County | Whitcomb, Marengo County |
| Mathison, Henry County | Faulk, Geneva County |
| | McClendon, Chambers County |

STANDING COMMITTEES FOR THE HOUSE OF REPRESENTATIVES

CONSERVATION

| | |
|--|-----------------------------|
| Wood, <i>Chairman</i> , Washington County | Taylor, Hale County |
| Kaul, <i>Vice-Chairman</i> , Jefferson County | Taylor, Autauga County |
| McDanal, Walker County | Richardson, Lawrence County |
| Harrison, Wilcox County | Bennett, Calhoun County |
| Crocker, Marengo County | Tucker, Clarke County |
| Shirley, Pike County | Sellers, Tallapoosa County |
| Doughty, Pickens County | Hornsby, Elmore County |
| | Johnston, Mobile County |

LOCAL GOVERNMENT

| | |
|---|-----------------------------|
| Brassell, <i>Chairman</i> , Russell County | McDonald, Coosa County |
| Lovelace, <i>Vice-Chairman</i> , Escambia County | Mason, Perry County |
| Pruitt, Sumter County | Martin, Greene County |
| Givhan, Dallas County | Dobbs, Fayette County |
| Head, Shelby County | Haynes, Lowndes County |
| Thompson, Pike County | Callahan, Tuscaloosa County |
| Frasier, Dallas County | Gillis, Clarke County |
| | Adams, Dale County |

STATE ADMINISTRATION

| | |
|--|----------------------------|
| Meeks, <i>Chairman</i> , Jefferson County | Mitchell, Cherokee County |
| Shirley, <i>Vice-Chairman</i> , Pike County | McClendon, Chambers County |
| Wood, Bibb County | Norman, Bullock County |
| Busby, Montgomery County | Brannan, Baldwin County |
| Knight, Henry County | Vann, Madison County |
| Tucker, Clarke County | Pinson, Sumter County |
| Miller, Etowah County | Robinson, Lowndes County |
| | White, Perry County |

LOCAL LEGISLATION

| | |
|--|-----------------------------|
| Bennett, <i>Chairman</i> , Calhoun County | Sightler, Montgomery County |
| Thomas, <i>Vice-Chairman</i> , Barbour County | Cole, Russell County |
| Kaul, Jefferson County | Taylor, Hale County |
| Frasier, Dallas County | Mollette, Dallas County |
| Head, Shelby County | Haynes, Lowndes County |
| Stewart, Morgan County | Weaver, Winston County |
| | Brown, Lee County |
| | Ramey, Hale County |

INTERIM COMMITTEES

In accordance with the provisions of H.J.R. No. 13, I, W. M. Beck, as Speaker of the House of Representatives, have appointed the following Representatives, and I, as Speaker of the House, and Lt. Governor J. C. Inzer, have designated the Chairmen and Vice-Chairmen as named:

AGRICULTURE

| | |
|---|----------------------------|
| Thagard, <i>Chairman</i> , Butler County | McClendon, Chambers County |
| White, Perry County | Mathison, Henry County |
| Givhan, Dallas County | Vann, Madison County |
| Garrett, Monroe County | Thompson, Pike County |
| Coburn, Colbert County | Bennett, Calhoun County |

HEALTH, PUBLIC WELFARE, VETERANS' LEGISLATION
AND HOUSING

| | |
|--|---------------------------|
| Black, <i>Vice-Chairman</i> , Walker County | Hornsby, Elmore County |
| Pinkston, Montgomery County | Meeks, Jefferson County |
| Thompson, Crenshaw County | Leonard, Talladega County |
| Howell, Calhoun County | Hankins, Lamar County |
| Pinson, Sumter County | Still, Chambers County |

JUDICIARY

| | |
|---|----------------------------|
| Merrill, <i>Chairman</i> , Cleburne County | McIlwain, Bullock County |
| Roberts, Etowah County | Inzer, St. Clair County |
| Evans, Choctaw County | Ingalls, Montgomery County |
| Brassell, Russell County | Lovell, Escambia County |
| Barnett, Lauderdale County | Wood, Bibb County |

FINANCE AND TAXATION

| | |
|---|--------------------------|
| Brown, <i>Vice-Chairman</i> , Lee County | Johnston, Mobile County |
| Snodgrass, Jackson County | Wallace, Barbour County |
| Gibson, Jefferson County | Buckner, Cullman County |
| Larkins, Coffee County | McGowin, Butler County |
| Shelton, Tuscaloosa County | Busby, Montgomery County |

INTERIM COMMITTEES

HIGHWAYS

| | |
|--|-------------------------|
| Davis, <i>Vice-Chairman</i> , Madison County | Wright, Marion County |
| O'Neal, Jackson County | Bush, Macon County |
| Mitchell, Cherokee County | Crocker, Marengo County |
| Rogers, Lauderdale County | Martin, Greene County |
| Ramey, Hale County | Knight, Henry County |

EDUCATION

| | |
|---|------------------------------|
| Miller, <i>Chairman</i> , Etowah County | Broadwater, Limestone County |
| White, Covington County | Nelson, Clay County |
| Callahan, Tuscaloosa County | Ganey, Talladega County |
| Ward, Lee County | Haynes, Franklin County |
| Benford, Marshall County | Sellers, Tallapoosa County |

CONSERVATION

| | |
|--|-------------------------|
| McDanal, <i>Chairman</i> , Walker County | George, Randolph County |
| Wood, Washington County | Cole, Russell County |
| Shirley, Pike County | Brannan, Baldwin County |
| Cox, Chilton County | Malone, Houston County |
| Dobbs, Elmore County | Doughty, Pickens County |

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution, and send same herewith to the House for its consideration:

By Mr. Henderson:

S.J.R. 7. Resolved by the Senate, the House concurring, that the Secretary of State, the Doorkeeper of the House, and the Doorkeeper of the Senate, be, and they are hereby relieved of responsibility and liability for the Codes and other books placed on the desks of members of the Senate and House for their use during this session of the Legislature.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Roberts the rules were suspended and the S.J.R. 7, set out in the above and foregoing message from the Senate, was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of H.J.R. 13 the President and Presiding Officer of the Senate has appointed members of the Interim Committees, as follows:

FINANCE AND TAXATION

| | |
|----------------------------|----------|
| Henderson, <i>Chairman</i> | Boutwell |
| Allen | Lowe |

EDUCATION

| | |
|---------------------------------|-----------|
| Patterson, <i>Vice-Chairman</i> | Mize |
| Burnside | Summerlin |

HIGHWAYS

| | |
|------------------------|----------|
| Swift, <i>Chairman</i> | Hardwick |
| Gaither | Harvey |

HEALTH, PUBLIC WELFARE, VETERANS' LEGISLATION
AND HOUSING

| | |
|---------------------------|-------|
| Lamberth, <i>Chairman</i> | Howle |
| Hooton | Owens |

JUDICIARY

| | |
|----------------------------|---------|
| Fite, <i>Vice-Chairman</i> | Coleman |
| Cater | Langan |

CONSERVATION

| | |
|-------------------------------|----------|
| Bridges, <i>Vice-Chairman</i> | Gulledge |
| Glover | Perry |

AGRICULTURE

| | |
|-------------------------------|----------|
| Clayton, <i>Vice-Chairman</i> | Kendall |
| Golson | Kimbrell |

J. E. Speight,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Roberts:

H.J.R. 17. BE IT RESOLVED by the House, the Senate concurring, that a Joint Committee of three from the House, to be appointed by the Speaker of the House, and a committee of three from the Senate, be named to wait upon the Governor and advise him that the Legislature has completed its business and is ready to adjourn sine die and awaits any message he might desire to transmit.

On motion of Mr. Roberts, the rules were suspended, and the H.J.R. 17 was adopted.

And the Speaker named as a Committee on the part of the House: Messrs. Roberts, Howell and Inzer.

RESIGNATION OF MEMBER AND APPOINTMENT OF
CHAIRMAN AND MEMBER INTERIM COMMITTEE

The Speaker of the House announced the resignation of Mr. Adams of Jefferson County from the Interim Committee on Conservation; and the appointment of Mr. McDanal of Walker County as Chairman, and the appointment of Mr. Doughty of Pickens County as a member of said Committee.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 17. Relative to appointment of Committees to advise Governor the Legislature has completed its business and is ready to adjourn sine die.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Hardwick, Mize and Barrett.

J. E. Speight,
Secretary.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House joint resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:40 A.M. on January 23, 1947:

H.J.R. 13

H.J.R. 15

R. T. Goodwyn, Jr.,
Clerk.

OATH OF OFFICE

STATE OF ALABAMA,)
COUNTY OF SUMTER.)

I, S. M. Cobb, solemnly swear that I will support the constitution of the United States, and the constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability. So help me God.

S. M. Cobb.

STATE OF ALABAMA,)
COUNTY OF SUMTER.)

Before me, M. E. McConnell, Judge of Probate of Sumter County, Alabama, personally appeared S. M. Cobb a duly elected member of the Legislature of the State of Alabama, who was duly administered the above oath by me on this the 14th day of January, 1947.

M. E. McConnell,
Judge of Probate. Sumter County,
Alabama.

(Seal)

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the tenth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the tenth legislative day was approved.

ADJOURNMENT

On motion of Mr. Roberts, the House at 10:20 o'clock A.M. adjourned sine die.

W. M. Beck,
Speaker of the House of Representatives
of the Legislature of Alabama,
Organizational Session, 1947.

ATTEST:

R. T. Goodwyn, Jr.,
Clerk of the House of Representatives
of the Legislature of Alabama,
Organizational Session, 1947.

LEGISLATIVE DAYS
ORGANIZATIONAL SESSION 1947

| | Page |
|---|------|
| FIRST DAY—Tuesday, January 14, 1947..... | 3 |
| SECOND DAY—Wednesday, January 15, 1947..... | 31 |
| THIRD DAY—Thursday, January 16, 1947..... | 42 |
| SEVENTH DAY—Monday, January 20, 1947..... | 44 |
| EIGHTH DAY—Tuesday, January 21, 1947..... | 50 |
| TENTH DAY—Thursday, January 23, 1947..... | 61 |

ORGANIZATIONAL SESSION 1947—INDEX

ADJOURNMENT

- 1st Day, p. 31
- 2nd Day, p. 42
- 3rd Day, p. 44
- 7th Day, p. 50
- 8th Day, p. 61
- 10th Day, Sine Die, p. 72

AGRICULTURE

- Interim Committee, pp. 67, 69
- Standing Committee, p. 65

ASSISTANT CLERK

- Election of J. F. Campbell, p. 8

ASSISTANT DOORKEEPER

- Election of W. M. Blackwell, p. 10

BECK, W. M.

- Election as Speaker, p. 7

BUSINESS AND LABOR

- Standing Committee, p. 65

CERTIFICATE OF ELECTION

- Members of House, pp. 3-6

CLERK

- Election of R. T. Goodwyn, Jr., p. 8

COBB, S. M.

- Oath of office, p. 71

COMMITTEES

- Appointment to Interim Committees, pp. 67-68, 69
- Appointment to Standing Committees, pp. 63-66
- Interim Committee of the Whole, H.J.R. 15, pp. 54, 56, 62, 71
- Standing Committee on Revision of the Journal, p. 15
- To assign seats to members of House, H.R. 6, p. 12
- To inform Governor of organization of Legislature, H.J.R. 12, p. 46

CONSERVATION

- Interim Committee, pp. 68, 69
- Standing Committee, p. 66

CONSTITUTION AND ELECTIONS

- Standing Committee, p. 64

DOBBS, HARLEY M.

- Oath of office, p. 51

DOORKEEPER

- Election of W. H. Barnard, p. 10

EDUCATION

- Interim Committee, pp. 68, 69
- Standing Committee, p. 64

ELECTION OF EXECUTIVE OFFICERS

- Governor's message, p. 33
- Joint session for opening and publishing returns, pp. 32, 33
- Results, pp. 34-38

ELECTION OF OFFICERS

Assistant Clerk, p. 8
Assistant Doorkeeper, p. 10
Clerk, p. 8
Doorkeeper, p. 10
Engrossing and Enrolling Clerk, p. 9
Speaker, p. 7

ENGROSSING AND ENROLLING CLERK

Election of J. W. Kirtland, p. 10

FINANCE AND TAXATION

Interim Committee, pp. 67, 69

GOVERNOR

Message by Governor Chauncey Sparks to joint session, pp. 15-30

HEALTH

Standing Committee, p. 65

HEALTH, PUBLIC WELFARE, VETERANS' LEGISLATION AND HOUSING

Interim Committee, pp. 67, 69

HIGHWAYS

Interim Committee, pp. 68, 69

INTERIM COMMITTEES

Appointment of, pp. 67-68, 69
Creation, H.J.R. 8, pp. 39-41; H.J.R. 13, pp. 46-47
Committee of the Whole, H.J.R. 15, pp. 54, 56, 62, 71
Resolution to request advisory opinion of Supreme Court on constitutionality of proposal to create legislative interim committees, H.R. 9, pp. 41-42

JUDICIARY

Interim Committee, pp. 67, 69
Standing Committee, p. 63

LEGISLATIVE COUNCIL

Notice to House, p. 39

LOCAL GOVERNMENT

Standing Committee, p. 66

LOCAL LEGISLATION

Standing Committee, p. 66

OATH OF OFFICE

Members of House, p. 7
S. M. Cobb, Member of the House, p. 71
Harley M. Dobbs, member of the House, p. 51

PUBLIC WELFARE

Standing Committee, p. 64

RESIGNATION

Mr. Adams of Jefferson County from Interim Committee on Conservation,
p. 70

RESOLUTIONS

Adoption of Joint Rules of 1943 Regular Session, S.J.R. 2, pp. 30, 52
Creating Interim Committees, H.J.R. 8, pp. 39-41
Employment of stenographers for House and Senate for interim, S.J.R. 4,
p. 48

RESOLUTIONS (Continued)

- Expenses of members, S.J.R., pp. 59-60, 62-63
- Informing Senate that House is ready for transaction of business, H.R. 3, p. 11
- Informing Governor of organization of Legislature, H.J.R., 4, pp. 11, 13; H.J.R. 12, pp. 46, 48
- Informing Governor that Legislature is ready to adjourn sine die, H.J.R. 17, p. 70
- Inviting Governor-elect Folsom and Lieutenant Governor-elect Inzer to joint session to receive Message of Governor Sparks, H.J.R. 5, pp. 12, 15
- Interim Committees, H.J.R. 13, pp. 46-47, 52-54, 55-56, 57-58, 60, 62, 67-68, 69, 71
- Joint session for opening and publishing returns of election of Executive Officers of Alabama at General Election, H.J.R. 7, p. 32
- Joint session for message of Governor Chauncey Sparks, S.J.R. 1, p. 13
- Legislature meeting as Interim Committee of the Whole, H.J.R. 15, pp. 54, 56, 62, 71
- Requesting advisory opinion of Supreme Court on constitutionality of proposal to create legislative interim committees, H.R. 9, pp. 41-42
- Rules of 1945 Session adopted until Committee on Rules reports, H.R. 2, p. 11
- Rules of House adopted, H.R. 14, pp. 49-50
- To adjourn until January 16, H.J.R. 10, p. 42
- To appoint committee to assign seats to members of the House, H.R. 6, p. 12
- To appoint committee to notify Hon. W. M. Beck of election as Speaker, H.R. 1, p. 7
- To meet on Monday, January 20, H.J.R. 11, pp. 43-44
- To meet on Tuesday, January 21, 1947, S.J.R. 5, p. 48
- To meet on Thursday, January 23, H.J.R. 16, pp. 54-55, 60-61
- To relieve doorkeepers of responsibility for Codes and other books in desks of members, S.J.R. 7, p. 68

RULES

- Adoption of Joint Rules of 1943 Regular Session, S.J.R. 2, pp. 30, 52
- Adoption of Rules of 1945 Session, p. 11
- Adoption of Rules of House, H.R. 14, pp. 49-50
- Committee appointment, pp. 45-46
- Standing Committee, p. 63

SERGEANT-AT-ARMS

- Appointment of Jack Bush, Jr., p. 30
- Appointment of Charles Stern, p. 42

SENATE

- Organization and election of officers, p. 12

SPARKS, GOVERNOR CHAUNCEY

- Message to joint session, pp. 15-30

SPEAKER

- Election of W. M. Beck, p. 7

STANDING COMMITTEES OF THE HOUSE

- Appointment of, pp. 63-66

STATE ADMINISTRATION

- Standing Committee, p. 66

TRANSPORTATION

- Standing Committee, p. 65

WAYS AND MEANS

- Standing Committee, p. 64

JOURNAL
OF THE
House of Representatives
OF
ALABAMA

FIRST EXTRAORDINARY SESSION OF 1947

**HELD IN THE CITY OF MONTGOMERY, COMMENCING
MONDAY, MARCH 3, 1947**



**WITH AN INDEX PREPARED BY THE CLERK OF
THE HOUSE OF REPRESENTATIVES**

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1948

JOURNAL
OF THE
House of Representatives
OF
ALABAMA

FIRST EXTRAORDINARY SESSION, 1947

FIRST DAY

House of Representatives,
Montgomery, Alabama,
Monday, March 3, 1947.

Be it remembered that on the 1st day of March, 1947, His Excellency, James E. Folsom, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

A PROCLAMATION BY THE GOVERNOR

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, James E. Folsom, as Governor of the State of Alabama, do hereby proclaim such extraordinary occasion to exist and I proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 11:00 o'clock A.M. on Monday, the 3rd of March, 1947, and I do hereby designate the following suggestions and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

I. To consider and advise with the Governor and to confirm appointments of the Governor of the following officers appointed by the Governor where confirmation, advice, or consent of the Senate is required; namely,

- (1) The Adjutant General of Alabama and the commission issued or to be issued to said Adjutant General
- (2) Members of the Board of Trustees of the Alabama Institute for the Deaf and Blind
- (3) Members of the Board of Trustees of the Alabama Reform School for Juvenile Law Breakers
- (4) For members of the Board of Appeals for the Department of Industrial Relations
- (5) Members of the State Board of Education
- (6) Members of the State Board of Pardons and Paroles
- (7) Members of Board of Trustees for the State Training School for Girls
- (8) Members of the Board of Trustees for the Alabama Polytechnic Institute
- (9) Members of the Board of Trustees of Alabama College
- (10) Members of the State Banking Board
- (11) Members of the State Board of Agriculture and Industries
- (12) Members of the Alabama Alcoholic Beverage Control Board
- (13) To consider the appointment of any other officer, member of any other board, committee, or trustee appointed by the Governor where confirmation is required by the Senate or where the appointment is made with the advice and consent of the Senate, and all matters pertaining thereto.

II. To pass or adopt an act or resolution providing for the holding of a convention to alter, revise, or amend the Constitution of the State of Alabama and submitting the question of Convention or no Convention to a vote of all of the qualified electors of the State of Alabama for their approval as provided by Article XVIII of the Constitution of Alabama of 1901.

Attest:

SIBYL POOL
Secretary of State

Done at the Capitol of the
State of Alabama on this the
First day of March, A.D., 1947

JAMES E. FOLSOM
Governor

The original of this declaration
is filed with me in the Office
of the Secretary of State of the
State of Alabama on this the
First day of March, A.D., 1947

Sibyl Pool
Secretary of State

PRAYER

The session was opened with prayer by Rev. Andrew S. Turnipseed, pastor of Dexter Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|-----------|---------------------|
| Mr. Speaker | Duffee | McClendon | Shirley |
| Adams (Dale) | Dumas | McDanal | Sightler |
| Adams (Jefferson) | Evans | McDonald | Snodgrass |
| Barnett | Faulk | McGowin | Still |
| Beatty | Frasier | Malone | Stone |
| Benford | Ganey | Martin | Sullivan |
| Bennett | Garrett | Mathison | Taylor (Autauga) |
| Black | George | Meeks | Taylor (Hale) |
| Brassell | Gibson | Merrill | Thagard |
| Broadwater | Gillis | Miller | Thomas |
| Brown | Givhan | Mitchell | Thompson (Crenshaw) |
| Buckner | Harris | Molette | Thompson (Pike) |
| Busby | Harrison | Nelson | Tucker |
| Bush | Haynes (Franklin) | Nettles | Wallace |
| Callahan | Haynes (Lowndes) | Norman | Ward |
| Cole | Hornsby | O'Neal | Weaver |
| Cox | Howell | Pinkston | Whitcomb |
| Crocker | Ingalls | Pinson | White (Covington) |
| Davis | Johnston | Ramey | White (Perry) |
| Denton | Knight | Roberts | Wood (Bibb) |
| Dobbs (Elmore) | Larkins | Rogers | Wood (Washington) |
| Dobbs (Fayette) | Leonard | Sellers | Wright |
| Doughty | Lovelace | Shelton | |

—91

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Martin leave of absence was granted to Messrs. Cobb, Pruitt, Kaul, Sadler and Stewart.

APPOINTMENT

The Speaker of the House announced the appointment of Vaughan Hill Robison as Reading Clerk of the House.

RESOLUTION

The following resolutions were introduced:

By Mr. Snodgrass:

H.R. 1. Resolved that the Clerk of the House of Representatives inform the Senate of Alabama that the House of Represen-

tatives is now in session and is ready for transaction of public business.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

By Mr. Snodgrass:

H.J.R. 2. RESOLVED by the House, the Senate concurring that a committee of five, consisting of two members on the part of the Senate to be appointed by the presiding officer of the Senate, and three members on the part of the House to be appointed by the Speaker of the House, be named to wait upon the Governor of Alabama, and inform him that the Legislature of Alabama is in session and is ready to transact public business.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted. And the Speaker named as Committee on the part of the House: Messrs. Snodgrass, Thompson of Crenshaw, and Larkins.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify you that the Senate is ready for the transaction of business.

J. E. Speight,
Secretary.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Norman:

H. 1. To propose an Amendment to Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the legislature.

The above and foregoing bill, H. 1, proposing an amendment to the Constitution, was read one time at length, and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for Second reading.

By Mr. White (Covington):

H. 2. To propose an Amendment to Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration

of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 2, proposing an amendment to the Constitution, was read one time at length, and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for second reading.

By Mr. Harris:

H. 3. To propose an Amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 3, proposing an amendment to the Constitution, was read one time at length, and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for second reading.

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H.J.R. 3. RESOLVED by the House, the Senate concurring, that a joint session of the House and Senate be held at twelve o'clock today for the purpose of hearing the message of the Honorable James E. Folsom, Governor of Alabama.

RESOLVED FURTHER, that a committee of three from the House, to be appointed by the Speaker of the House, and a committee of two from the Senate, to be appointed by the presiding officer of the Senate, be named to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted. And the Speaker named as a committee on the part of the House: Messrs. Buckner, Roberts and Denton.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 2. Relative to a Committee to wait upon the Governor and to notify him that the Legislature is in session and ready for the transaction of business.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Langan, and Coleman.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 3. Relative to a Joint Session of the House and Senate at 12 o'clock today for the purpose of hearing a message of Honorable James E. Folsom, Governor of Alabama.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Henderson and Clayton.

J. E. Speight,
Secretary.

PRIVILEGES OF FLOOR

On motion of Mr. Roberts the privileges of the floor were granted to the members of the Board of Trustees of the University of Alabama.

JOINT SESSION

The hour of twelve o'clock, noon, having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the hall of the House of Representatives, in accordance with House Joint Resolution No. 3, for the purpose of hearing an address by the Governor of the State of Alabama.

The joint session was called to order by the Hon. J. C. Inzer, Lieutenant Governor and Presiding Officer of the Senate.

The Hon. James E. Folsom, Governor of the State of Alabama, appeared and addressed the Joint Session of the Legislature of the State of Alabama as follows:

You have been called into special session to consider two matters.

The first of these is the most fundamental issue in our democracy. That's the question of whether the people of Alabama will have a chance to vote on calling a constitutional convention.

During the campaign I talked to men and women all over Alabama. There was one pledge made on each occasion. I pledged that I would do all in my power to give the people a chance to decide on whether we need to rewrite our constitution.

As your Governor I have a responsibility to carry out the will of the people. The will of the people on this issue was made clear in the election.

The question before us is this: Are the people to be given a chance to vote on whether they want a call issued for a constitutional convention?

That's the question. It's a clear-cut question. It's one on which the Legislature can give a clear 'yes' or 'no' answer.

I believe that an overwhelming majority of you will want to give the people this chance. I believe an overwhelming majority will want this question answered in a democratic way. This is a question that's important to every man, woman and child in Alabama. Giving the people a chance to decide the issue is fundamental democracy. I do not believe the Legislature will want to close the door on the people's right to vote on any question.

We need to keep before us at all times that the sovereign power rests with the people. We are their servants. If you and I fail to give them this opportunity, we have failed in our duty.

And I want to say right here that you members of the Legislature have been most cooperative to date. It is a good thing when the executive branch and the legislative branch can work in harmony. That way all of us can do a better job for the people. There were those who hoped there would be no harmony between the legislative and the executive branches. They wanted to create discord among us. They do not want us to do a good job for the people. I am glad to say that to date the enemies of the people have been disappointed. We can work together for the welfare of all Alabama's 3,000,000 people.

As you know I believe in the democratic processes. I don't believe there's any man or woman in Alabama who believes more strongly in democracy than I do.

Democracy means to me that the people have the final power on all questions. Democracy means to me the people ought to be given a chance to decide every issue. Democracy means the will of the majority must be carried out on every issue. As far as I'm concerned, I wish the people could decide every issue. Of course, in the day-by-night management of the people's business those of us who are their elected officials must act for them. But there are some issues which are so fundamental that only the people can decide them.

I know that some of you may feel this is not a good time to begin thinking of a constitutional convention. There may be some of you who don't think we need any changes at all in the present constitution. But I want to say this again: You, as well as all the voters of Alabama, can debate those questions later.

Regardless of what you feel about the present constitution, you can still believe in the democratic way of settling this issue. You can still by your vote give the people a chance to speak. When you return home you can still speak your mind to the farmers of

your section. You can talk to the merchants. You can talk to the small business men. You can talk to the big business men. You can talk to the men and women who work in our mills. You can talk to those who work in our mines and offices.

This is the democratic process. This is the way Americans decide their future.

Now, I want to talk a few minutes about certain appointments which the Senate will consider. You will find that I have selected men and women of the highest integrity and ability. They are men and women who have strong convictions about democracy. They are men and women who will serve the best interests of all the people. They have my unqualified endorsement.

I believe the same basic principles of democracy should apply to a consideration of these appointments. Our system of government is founded on free and open debate. Democratic decisions openly arrived at. That's fundamental. There are some who want to make a political issue of these appointments. I believe that **every** member of the senate will want to know all the facts on these issues. I believe that all the people of Alabama have an interest in any discussion that may arise. I believe **all** the people will want to keep informed on this matter.

When these appointments are considered fairly and openly, I am confident that the members of the senate will approve them by an overwhelming vote.

I want to say again that I appreciate the cooperation you have given to date. This special session can make history. It will decide whether democracy is to rule in Alabama. It will decide whether Alabama is going to go forward in an era of progress for all our 3,000,000 people.

I hope you will be able to decide the issue at hand soon. I hope that you will be able to return to the work of your interim committees so we can get on with the business of carrying out a program for Alabama.

I thank you, and may God bless all of you!

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cater:

S.J.R. 1. Whereas, both Houses of the Legislature have recently been equipped with desks and other furniture which add dignity

to each of said houses and add comfort to the members of the Legislature of Alabama, and

Whereas, the members of the Legislature are appreciative of the fine work done by the Department of Finance in securing said desks, etc., and

Whereas, we feel that arrangements should be made whereby the said desks, other furniture and all equipment in both houses should be placed in the care of specified persons directly responsible to the Legislature, and committee rooms shall be available for the Legislature at all times.

Now, Therefore, be it resolved by the Senate of Alabama, the House concurring, that the Secretary of the Senate is hereby placed in control of the Senate Chamber and of all of said desks, furniture and other equipment in the Senate Chamber, and the Clerk of the House is hereby placed in control of the House Chamber and of all of said desks, furniture and other equipment in the House Chamber, and they are directed to see that said desks, furniture and other equipment is kept in said Chambers and preserved in good condition for use by future Legislatures of Alabama, and both shall be responsible to the Legislature of Alabama to see that said desks, furniture, other equipment and both Chambers are kept in good condition.

Be it Further Resolved, that all rooms on the third floor of the Capitol, except the room now used for the Capitol telephone switchboard, shall be reserved exclusively for the use of the Legislature at all times and shall be equipped for permanent committee rooms by the Secretary of the Senate and the Clerk of the House and the use thereof shall be under the control and direction of the Secretary of the Senate and the Clerk of the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Stone, the House concurred in and adopted the Senate Joint Resolution No. 1 set out in the above and foregoing message from the Senate.

ADJOURNMENT

On motion of Mr. Givhan, the House adjourned until 11 o'clock, A.M., Tuesday, March 4, 1947.

SECOND DAY

House of Representatives,
Montgomery, Alabama,
Tuesday, March 4, 1947.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Guy McGowan, pastor of First Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names.

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Evans | McDanal | Sadler |
| Adams (Dale) | Faulk | McDonald | Sellers |
| Adams (Jefferson) | Frasier | McGowin | Shelton |
| Barnett | Ganey | McIlwain | Shirley |
| Beatty | Garrett | Malone | Sightler |
| Benford | George | Martin | Snodgrass |
| Bennett | Gibson | Mason | Still |
| Black | Gillis | Mathison | Stone |
| Brannan | Givhan | Meeks | Sullivan |
| Broadwater | Harris | Merrill | Taylor (Autauga) |
| Brown | Harrison | Miller | Taylor (Hale) |
| Buckner | Haynes (Franklin) | Mitchell | Thagard |
| Busby | Haynes (Lowndes) | Molette | Thompson (Crenshaw) |
| Bush | Head | Nelson | Thompson (Pike) |
| Callahan | Hornsby | Nettles | Tucker |
| Cobb | Howell | Norman | Vann |
| Coburn | Ingalls | O'Neal | Wallace |
| Cox | Inzer | Pinkston | Ward |
| Crocker | Johnston | Pinson | Weaver |
| Davis | Kaul | Pruitt | Whitcomb |
| Denton | Knight | Ramey | White (Covington) |
| Dobbs (Elmore) | Larkins | Richardson | White (Perry) |
| Dobbs (Fayette) | Leonard | Roberts | Wood (Bibb) |
| Doughty | Lovelace | Robinson | Wood (Washington) |
| Duffee | McClendon | Rogers | Wright |
| Dumas | | | |

—101

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following S.J.R., your signature thereto is requested.

S.J.R. 1. Relative to: Control and custody of furniture, equipment etc., in the House and Senate Chambers and the use of all rooms on the third floor of the Capitol building except the room used for the Capitol telephone switchboard; Secretary of Senate and Clerk of House being custodian of same.

J. S. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

LEAVE OF ABSENCE

On motion of Mr. Wood of Washington leave of absence was granted to Mr. Brassell.

BILLS ON SECOND READING

Mr. Merrill, Vice Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bills and ordered same returned to the House without recommendation.

(Without recommendation):

H. 1. To propose an Amendment to Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 1, proposing an amendment to the Constitution was read a second time at length and placed on the Calendar.

(Without recommendation):

H. 2. To propose an Amendment to Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 2, proposing an amendment to the Constitution was read a second time at length and placed on the Calendar.

(Without recommendation):

H. 3. To propose an Amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 3, proposing an amendment to the Constitution was read a second time at length and placed on the Calendar.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Merrill, Roberts, Brown, Larkins and Snodgrass:

H.J.R. 4. Providing for holding a convention to revise and amend the Constitution of the State of Alabama, and to provide method of electing delegates to said convention.

Whereas, experience has shown that many of the provisions of our present Constitution, which was written forty six years ago, need amending, revising or repealing, which fact is evidenced by the numerous and increasing proposals made at each succeeding session of the Legislature to amend or revise some part thereof; and

Whereas, it is the safest plan to revise the Constitution as a whole, rather than by piecemeal amendments, inasmuch as many of the provisions which must be revised, one of which is the suffrage clause, should receive the deliberate and best thought of the State selected especially because of their fitness to do such work; and

Whereas, "All political power is inherent in the people, and all free governments are founded on their authority and instituted for their benefit," and the right is theirs to make whatever changes in their government they deem wise and expedient; and

Whereas, the people of Alabama are an enlightened and progressive people, and are fully competent to determine whether or not a constitutional convention should be called to revise and amend the present Constitution of the State; therefore,

BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING,

Section 1. That on Tuesday, July 13th, 1947, an election shall be held in the several counties of the State, for the purpose of determining whether or not a convention shall be held to revise and amend the Constitution of this State, and at that election the question of Convention or no convention shall be submitted to a vote of the qualified electors of this State, and if a majority of the voters voting at said election shall approve of the holding of a convention for the purpose stated, said convention shall be held as hereinafter provided.

Section 2. That at the election provided by the first section of this resolution, every qualified elector who approves of the holding of such convention shall declare the same by depositing his ballot at the voting place where he may be entitled to vote by making a cross mark before the words, "For Constitutional Convention" printed thereon, and every qualified voter of this State voting at said election, who disapproves of the holding or such convention, shall deposit his ballot, marked with a cross mark before the words, "Against Constitutional Convention" printed thereon.

Section 3. The form of the ballots used in said election shall be substantially as follows:

OFFICIAL BALLOT

Election on

CONSTITUTIONAL CONVENTION

Call

July 13th, 1947

Shall a Constitutional Convention be called to revise and amend the Constitution of the State?

FOR

CONSTITUTIONAL CONVENTION

AGAINST

CONSTITUTIONAL CONVENTION

Instruction: To vote, make a cross mark (x) in the square before and opposite the words expressing your choice.

Section 4. That except as herein otherwise provided, the general election laws shall in every respect apply to the election provided for in section one of this resolution, and the votes cast at such election shall be canvassed, tabulated, and returns made thereof to the secretary of State and counted in the same manner as in elections for representatives to the Legislature.

Section 5. The governor must give notice by proclamation, published in three daily papers in different parts of the State, of the result of the election provided for in section one of this resolution.

Section 6. That if said convention is called by a vote of the qualified electors, then on the first Tuesday after the first Monday in November, 1947, delegates to such convention shall be elected as follows: by the several counties of this State, one for each county with 25,000 population or less according to last Federal Census; and one delegate for each 25,000 in population, or fraction thereof, over twenty-five thousand in population, provided that no county can have more than ten delegates. That all delegates shall be citizens of the State and qualified electors. No person shall be disqualified from being a delegate on account of the fact that he holds any office of honor, profit or trust.

Section 7. That all provisions of the law governing general elections shall apply to the election of delegates to the constitutional convention, and the votes cast at such election shall be canvassed, tabulated, and returns thereof be made to the secretary of State and counted in the same manner as elections for representatives to the Legislature. The secretary of State shall within ten days after receiving the returns of the election, furnish the elected delegates with certificates of election.

Section 8. That on the 13th day of July, 1947, the day on which the question of convention or no convention is submitted to the qualified electors of the State, there shall be held a primary election for the purpose of nomination of candidates for delegates to such convention being made by the different political parties. All laws governing primary elections shall apply to the primary election provided for in this section, and it shall, in all respects, be conducted as required by such laws.

Section 9. Separate ballots shall be prepared and used for voting on the question of "Convention or No Convention" and for the primary election for the nomination of candidates for delegates, and separate ballot boxes shall be provided, and separate returns made for each election. The same officers shall serve in both elections.

Section 10. That if the holding of a constitutional convention be approved by a majority of those voting at such election, the delegates elected thereto shall convene in the hall of the House of Representatives in the city of Montgomery, Alabama, on the second Tuesday, the 11th day of January, 1948, at twelve meridian of said day. The convention shall be called to order by the chief justice of the supreme court, or in his absence by the senior member in service of the supreme court present, who shall call the convention to order and preside until it is organized, and the convention shall proceed to organize by election of a president and such other officers (who need not be delegates) as said convention may deem

necessary for the proper performance of the duties of the convention.

Section 11. That said convention shall remain in session until it shall, by careful revision and amendment of the present Constitution, frame and adopt a revised Constitution for this State, provided, however, that such revised Constitution shall be adopted in due time to submit the same for adoption or rejection to the people at a special election to be held in November, 1948.

Section 12. That in case any dispute occurs as to the right of any person to sit in said convention as a delegate thereto, the question shall be decided by said convention, which shall be the exclusive judge of the election, qualification and returns of its own members. Any person desiring to contest the election of a person certified as being elected a delegate to said convention, may do so in the same manner as the election of a member of the House of Representatives of the Legislature is contested, and by giving the same bond, and testimony shall be taken in the same method.

Section 13. That the delegates to said convention shall be supplied with stationary and the use of the books, statutes, reports and documents the same as members of the Legislature. The officers of said convention shall receive the same compensation, payable out of the treasury of the State, as corresponding officers of the House of Representatives are by law allowed. The said delegates shall receive for their services the same per diem, expenses and mileage from the treasury of this State as is allowed to members of the Legislature. These payments shall be made on the certificates of the president and secretary or clerk of the convention, to the auditor of the State, as payment of the compensation, expenses and mileage to members of the Legislature is by law directed to be made; provided, that per diem compensation shall not be allowed or paid to any member of the convention for a longer time than ninety days.

Section 14. That if an epidemic or pestilence prevail at the place for the assembling of such convention at the time appointed, the governor may convene same to any other city or town in this State, which shall be free from disease; and said convention, at its discretion, may adjourn to any other city or town in this State in case an epidemic or pestilence occur during the session at the place where it may be assembled.

Section 15. That before entering upon the discharge of his duties as a member of said convention under this resolution, each delegate shall, before a judge of the circuit or supreme court or court of appeals of this State, take the following oath: "I do solemnly swear that I will support the Constitution of the United States, and I will honestly and faithfully perform the duties which are now to devolve on me as a delegate of this convention, so help me God."

Section 16. That it shall be the duty of said convention to cause to be filed with the secretary of State, within one week after its

adjournment, certified by the president and secretary or clerk, a clean and correct copy of the Constitution which said convention may adopt. Said convention shall cause a correct journal of its proceedings to be kept, and cause the same, certified by the president and secretary or clerk, to be filed on its adjournment with the secretary of State.

Section 17. That in the event of the framing of the Constitution by said convention, it shall be the duty of the governor, within one week after the filing of copy of said Constitution with the secretary of State, to issue his proclamation, to make known the fact that such Constitution has been framed; and thereby require an election to be held in the several counties of this State, in the same manner and by the same officers as general elections are required to be held for the purpose of submitting to the qualified voters of this State for ratification or rejection of said Constitution. This election shall be held on the first Tuesday after the first Monday in November, 1948.

Section 18. The constitutional convention shall, by ordinance, provide for the regulation of the election submitting the proposed Constitution for the approval or rejection by the qualified electors of the State.

Section 19. If said Constitution is ratified by a majority of the qualified electors voting at such election, the said new Constitution so ratified shall go into effect at twelve o'clock meridian, December 31st, 1948, as the Constitution of the State of Alabama.

Section 20. It shall be the duty of the Governor, immediately after issuing his proclamation as required by section seventeen of this resolution, to cause such proclamation to be published in at least one paper published in each county of the State, once a week for four successive weeks.

Section 21. In addition to the notice required in section twenty of this resolution, the proclamation of the governor shall be printed on good strong paper and be posted near every voting place and post office, and one other public place, in every precinct in the county, by the sheriff of the county, at least thirty days before the election.

Section 22. The governor may also, if in his opinion it is expedient for the purpose of advising the people as to the provisions of the proposed Constitution, have published, at the expense of the State, a pamphlet containing the proposed Constitution, which pamphlet may also contain paralleled the present Constitution. Such document, if published, shall be furnished to the officers of the State for free distribution to the people of the State, and shall be furnished free of charge to any citizen on request.

The above and foregoing H.J.R. No. 4 was read and referred to the Standing Committee on Rules.

By Mr. Snodgrass:

H.J.R. 5. To fix the amount to be allowed each member of the Legislature for expenses, other than actual expenses of traveling, incurred in the performance of his duties.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. Notwithstanding the provisions of Section 12 of Title 32 of the 1940 Code, each member of the Legislature shall be allowed \$8.00 per day for expenses, other than actual expenses of traveling, incurred in the performance of his duties.

2. The expense allowance due members of the Legislature shall be paid in the same manner as the compensation of officers and members is paid under Section 15 of Title 32 of the 1940 Code.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted.

RECESS

On motion of Mr. Givhan the House recessed until 3 o'clock this afternoon.

AFTERNOON SESSION

The hour of three o'clock P.M. having arrived, the House reconvened.

INTRODUCTION OF BILL

The following bill was introduced and read one time and referred to appropriate standing committee as follows:

By Mr. Snodgrass:

H. 4. To make an appropriation for the payment of the expense of the Legislature.

Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Wallace:

H.R. 6. WHEREAS, the members of the Legislature of Alabama deeply regret the tragic death of Honorable John F. Hankins, former Representative from Lamar County, which occurred on the 18th day of February, 1947; and

WHEREAS, Mr. Hankins was a man of outstanding ability and integrity; he taught school for thirty-five years, and left the imprint of his sterling character on the community; and he had

rendered to his community and to the State of Alabama most distinguished service in each phase of his long and useful life; and

WHEREAS, in his death the State has lost a noble citizen, a great teacher, farmer and business man, and a wise statesman;

THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Alabama, that a page of the House Journal be dedicated to the memory of Mr. Hankins, that a copy of this resolution be furnished the family of the deceased, and copies to the press; and that we extend to the family our deepest sympathy.

On motion of Mr. Wallace the rules were suspended and the resolution was adopted.

In Memoriam

HONORABLE JOHN F. HANKINS

**Member of the House of Representatives
of Alabama from Lamar County, Alabama**

1947

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 5. A Resolution to fix the amount to be allowed each member of the Legislature for expenses, other than actual expenses of traveling, incurred in the performance of his duties.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. Notwithstanding the provisions of Section 12 of Title 32 of the 1940 Code, each member of the Legislature shall be allowed \$8.00 per day for expenses, other than actual expenses of traveling, incurred in the performance of his duties.

2. The expense allowance due members of the Legislature shall be paid in the same manner as the compensation of officers and members is paid under Section 15 of Title 32 of the 1940 Code.

J. S. Speight,
Secretary.

RESOLUTION

The following resolution was introduced:

By. Mr. Snodgrass:

H.R. 7. BE IT RESOLVED by the House that a Committee of three members of the House be appointed by the Speaker to wait upon the Governor of Alabama and to inform him that the Senate has adjourned sine die and unless he has some further communication for the House that the House is ready to adjourn sine die.

On motion of Mr. Snodgrass the rules were suspended and H.R. 7 was adopted. And the Speaker named as the Committee: Messrs. Snodgrass, Mitchell and Miller.

GOVERNOR COMES BEFORE HOUSE

The Governor of the State of Alabama, Honorable James E. Folsom, came before the House of Representatives to thank the House for the courtesies extended him.

REPORT OF STANDING COMMITTEE
ON RULES

Mr. Speaker:

Your Standing Committee on Rules reports that it has examined House Joint Resolution.

H.J.R. 5. Relative to expenses allowed each Legislator other than travel expenses.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H.J.R. 8. Be it resolved by the House of Representatives, the Senate concurring, that the Journal of the House of Representatives and the Senate of this Special Session of 1947 be bound together with the Journal of the Regular Session of 1947.

On motion of Mr. Snodgrass, the rules were suspended and H.J.R. 8 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 8. Relative to binding Journal of this Session with the Journal of the Regular Session.

J. S. Speight,
Secretary.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4 P.M. on March 4, 1947:
H.J.R. 5.

R. T. Goodwyn, Jr.,
Clerk.

REPORT OF STANDING COMMITTEE
ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

ADJOURNMENT

On motion of Mr. Roberts, the House at 4:08 o'clock, P.M., adjourned sine die.

W. M. BECK,
Speaker of the House of Representatives of the Legislature of Alabama, Extraordinary Session, 1947.

Attest:

R. T. GOODWYN, JR.,
Clerk of the House of Representatives
of the Legislature of Alabama,
Extraordinary Session, 1947.

LEGISLATIVE DAYS
EXTRAORDINARY SESSION OF MARCH, 1947

| | Page |
|-------------------------------|------|
| FIRST DAY—March 3, 1947..... | 3 |
| SECOND DAY—March 4, 1947..... | 12 |

JOURNAL OF THE HOUSE, 1947

EXTRAORDINARY SESSION OF MARCH, 1947

INDEX

ADJOURNMENT

1st Day, p. 11

2nd Day, sine die, p. 24

APPROPRIATIONS

For payment of expenses of Legislature, H. 4, p. 19

COMMITTEES

To inform Governor that the Legislature is ready to transact business,
H.J.R. 2, pp. 6, 7

To inform Governor that the House is ready to adjourn sine die, H.R. 7,
p. 22

CONSTITUTIONAL AMENDMENTS

Article XXII (Amendment XXV) of the Constitution, relative to income
tax, and order an election therefor, H. 1, pp. 6, 13, H. 2, pp. 6, 14

Proposing an amendment to the Constitution, and order an election therefor,
H. 3, pp. 7, 14

CONSTITUTIONAL CONVENTION

Resolution to provide for, H.J.R. 4, pp. 14-18

EXTRAORDINARY SESSION

Proclamation by James E. Folsom, Governor, pp. 3-4

GOVERNOR

Message to joint session, pp. 8-10

Proclamation by, pp. 3-4

HANKINS, JOHN F.

In Memoriam, p. 21

HOUSE BILLS

H. B. 1, pp. 6, 13

H. B. 2, pp. 6, 14

H. B. 3, pp. 7, 14

H. B. 4, p. 19

INCOME TAX

Constitutional Amendment relative to, H. 1, pp. 6, 13, H. 2, pp. 6, 14

READING CLERK

Appointment of Vaughan Hill Robison, p. 5

RESOLUTIONS

Informing Governor that Legislature is ready to transact business, HJR.
2, pp. 6, 7

Informing Senate that House is ready for transaction of business, H.R. 1,
pp. 5-6

Joint session to hear message of the Governor, H.J.R. 3, pp. 7, 8

Relative to binding Journal of Extraordinary Session with Journal of Reg-
ular Session, H.J.R. 8, p. 23

Relative to control and custody of furniture, equipment, etc., in the House
and Senate Chambers and use of rooms on third floor, S.J.R. 1, pp.
10-11, 13

Relative to death of Honorable John F. Hankins, H.R. 6, pp. 19-21

To fix amount for expenses for members of the Legislature, H.J.R. 5,
pp. 19, 22, 23

To inform Governor that the House is ready to adjourn sine die, H.R. 7,
p. 22

To provide for a constitutional convention, H.J.R. 4, pp. 14-18

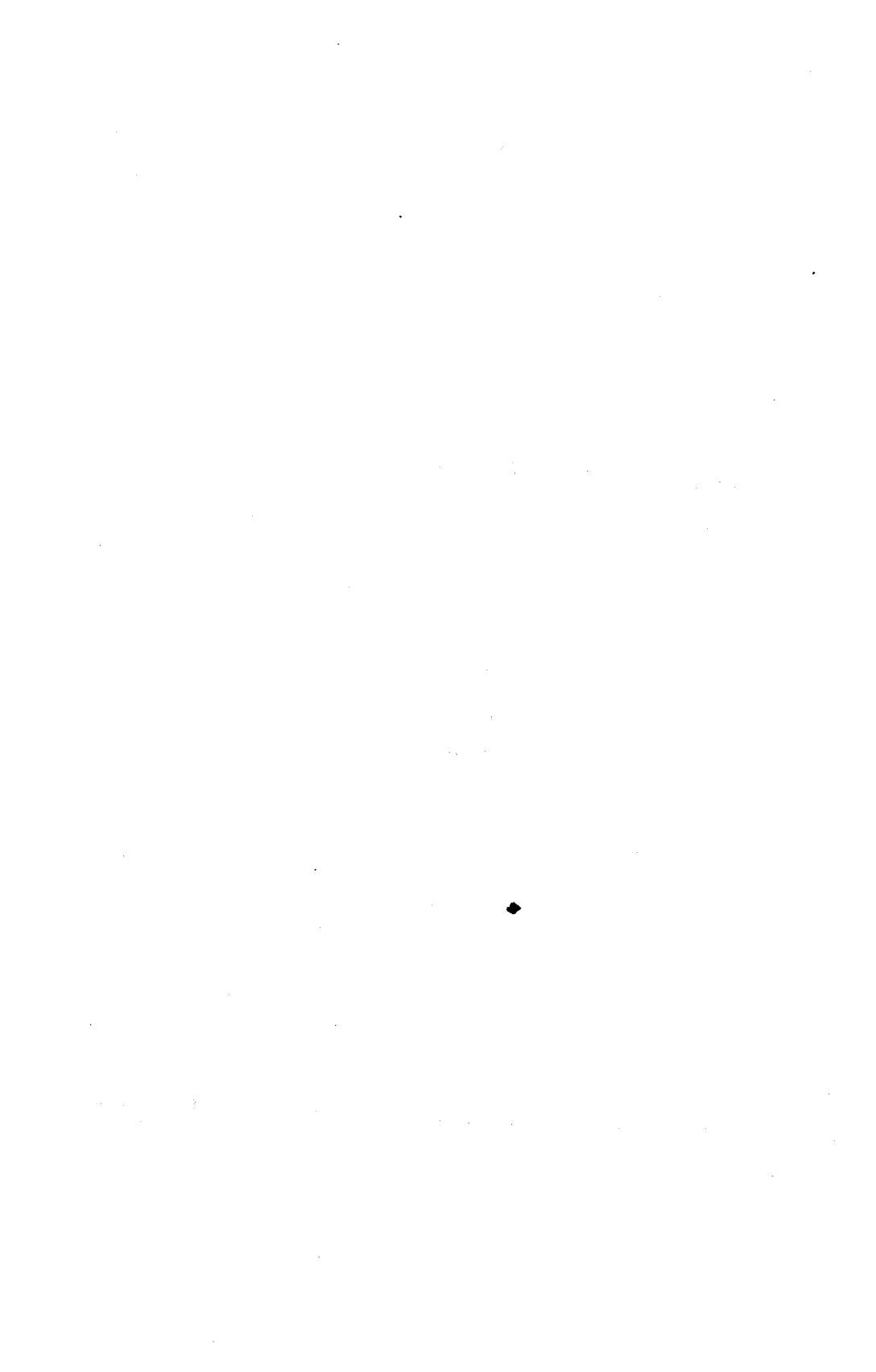
JOURNAL
OF THE
House of Representatives
OF
ALABAMA

SECOND EXTRAORDINARY SESSION OF 1947
HELD IN THE CITY OF MONTGOMERY, COMMENCING
TUESDAY, MAY 13, 1947



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

Birmingham Printing Company
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Birmingham, Alabama
1948



JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
ALABAMA
SECOND EXTRAORDINARY SESSION, 1947

FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 13, 1947

Be it remembered that on the 9th day of May, 1947, His Excellency, James E. Folsom, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

A PROCLAMATION BY THE GOVERNOR

WHEREAS, in the opinion of the Governor of the State of Alabama, an extraordinary occasion and emergency exists which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama; and

WHEREAS, there is dire need for additional funds for the State of Alabama to pay its school teachers adequate salaries, and to provide suitable and decent buildings for the school children of Alabama, and to provide adequate pensions for the aged citizens of Alabama; and

WHEREAS, the responsibility of providing funds for the aforesaid purpose rests upon the Legislature of Alabama; and

WHEREAS, the income tax now being levied by the State of Alabama has produced a large surplus now in the treasury of the State of Alabama and will continue to produce substantial revenue; and

WHEREAS, neither the said surplus nor future receipts of the income tax can be used to provide the aforesaid services without an amendment to the Constitution of Alabama; and

WHEREAS, the services being rendered by the State of Alabama to its people can be substantially increased without any increase in taxes by a constitutional amendment permitting the use of the proceeds of the income tax; and

WHEREAS, the Legislature of Alabama is now in recess and its immediate action is imperative:

NOW, THEREFORE, I, James E. Folsom, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of Alabama convene in extraordinary session at the seat of the State Government at the Capitol in Montgomery, Alabama, at twelve o'clock, Noon, on Tuesday, May 13, 1947, for the purpose of proposing an amendment to the Constitution of Alabama to provide for and authorize the use and appropriation of the proceeds of the income tax, including the proceeds thereof now in the treasury and future revenue therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and have caused this proclamation to be attested by the Secretary of State and the Great Seal of the State to be affixed at the Capitol on this 9th day of May, 1947.

JAMES E. FOLSOM,
Governor.

Attest:

SIBYL POOL,
Secretary of State.

In pursuance whereof, at the hour of 12 M. on Tuesday the 13th day of May, 1947, the Representatives in the Legislature of Alabama, assembled in the hall of the House of Representatives.

The House was called to order by the Hon. W. M. Beck, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by the Rev. J. Emmett Moore, pastor of the First Christian Church of Montgomery, Alabama.

ROLL CALL

On a call of the Roll of the House the following members answered to their names:

| | | | |
|-------------------|---------|---------|------------|
| Mr. Speaker | Barnett | Bennett | Brassell |
| Adams (Dale) | Beatty | Black | Broadwater |
| Adams (Jefferson) | Benford | Brannan | Brown |

| | | | |
|-----------------|-------------------|------------|-------------------|
| Buckner | Gillis | Martin | Shirley |
| Busby | Givhan | Mason | Sightler |
| Bush | Hankins | Mathison | Snodgrass |
| Callahan | Harris | Meeks | Stewart |
| Cobb | Harrison | Merrill | Still |
| Coburn | Haynes (Franklin) | Miller | Stone |
| Cole | Haynes (Lowndes) | Mitchell | Sullivan |
| Cox | Head | Molette | Taylor (Autauga) |
| Crocker | Hornsby | Nelson | Taylor (Hale) |
| Davis | Howell | Nettles | Thagard |
| Denton | Ingalls | Norman | Thomas |
| Dobbs (Elmore) | Inzer | O'Neal | Thomp- |
| Dobbs (Fayette) | Johnston | Pinkston | son (Crenshaw) |
| Doughty | Kaul | Pinson | Thompson (Pike) |
| Duffee | Knight | Pruitt | Vann |
| Dumas | Larkins | Ramey | Wallace |
| Evans | Leonard | Richardson | Ward |
| Faulk | Lovelace | Roberts | Weaver |
| Frasier | McClendon | Robinson | Whitcomb |
| Ganey | McDonald | Rogers | White (Covington) |
| Garrett | McGowin | Sadler | White (Perry) |
| George | McIlwain | Sellers | Wood (Bibb) |
| Gibson | Malone | Shelton | Wood (Washington) |

—103

A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify the House of Representatives that the Senate is now in session and is ready for the transaction of business.

J. E. Speight,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Snodgrass:

H. R. 1. RESOLVED that the Clerk of the House of Representatives inform the Senate of Alabama that the House of Representatives is now in session and is ready for the transaction of public business.

On motion of Mr. Snodgrass, the rules were suspended and H. R. 1 was adopted.

By Mr. Snodgrass:

H.J.R. 2. RESOLVED by the House, the Senate concurring that a committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to noti-

fy the Governor that the Legislature is now in session and is ready for the transaction of public business, and ascertain if he desires to address a joint session of the Legislature.

On motion of Mr. Snodgrass, the rules were suspended and H. J. R. 2 was adopted.

And the Speaker named as committee on the part of the House, Messrs. Snodgrass, Evans and Hankins.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

MAY 13, 1947

To the Members of the Legislature:

Pursuant to the resolution adopted by this body, sitting as a Committee of the Whole, on April 23, 1947, requesting that I call the Legislature into extraordinary session, I have, by virtue of the authority vested in me by Section 122 of the Constitution, issued a proclamation for an extraordinary session of the Legislature to convene today for the purpose of proposing an amendment to the Constitution of Alabama to provide for and authorize the appropriation and use of the proceeds of the income tax, including the proceeds thereof now in the treasury, and future revenue therefrom.

Your Interim Committees on Education, Public Health and Welfare have made a prolonged study of the distressing needs existing in our State. In my report to you on May 6th I reviewed some of our most important objectives.

I have repeatedly urged that this legislature body take the necessary steps to meet the educational crisis confronting us today. Our qualified teachers have been leaving the teaching profession by the thousands because of low salaries. The educational opportunity of our children and future generations is being jeopardized by low teachers' salaries, and the lack of adequate school buildings and facilities. I have emphasized the need of providing every college trained teacher a minimum salary of \$1800 annually.

I have continuously advocated increasing payments providing additional revenue for old age security, to meet the increased living costs and to sustain our democracy by demonstrating that we continue to place a high value on human welfare and human needs. It is imperative that the necessary funds be provided to meet the requirements of our aged, and to continue the other phases of our public welfare program.

In your survey of the needs of the people of the State of Alabama, you have taken into consideration the present income tax surplus and the future proceeds to be derived therefrom, and in my previous recommendations to you and in the presentation of my budget, I took this income tax surplus as an additional source of revenue into consideration in presenting my entire budget to this body.

Having given the whole matter of education and public welfare extensive study, I beg, therefore, to submit to you the following as my recommendations as to the distribution of the proceeds of this tax, including the proceeds

now in the treasury, as well as future revenue that will be derived therefrom:

1. That an irrevocable Sinking Trust fund be set up out of the surplus from the income tax levy now in the treasury, in an amount sufficient to cover principal and interest to maturity on Warrant Refunding (Income Tax) bonds.

2. That there be set aside in the same fund the amount now in the Old Bonded Debt (Carpet Bag) Sinking Fund together with an additional \$670,000.00 from the income tax surplus to partially provide for retirement of the Old Bonded Debt (Carpet Bag) Bonds at maturities.

3. The balance to be appropriated to the Alabama State Building Commission for capital outlay for educational purposes, provided, however, that not more than 12 percent of such amount shall be expended for higher institutions and the balance for public school buildings.

I recommend the amendment submitted provide, that future proceeds from income tax beginning October 1, 1947, together with the earnings from the investment of the funds in the above sinking trust fund be appropriated as follows:

1. A sufficient amount to replace the revenue lost to the several funds by reason of the exemption of homesteads from state ad valorem tax.

2. The next \$670,000.00 from the receipts to this fund shall be deposited annually in the above mentioned irrevocable trust sinking fund until such amount has accumulated as will be necessary to retire the Old Bonded Debt (Carpet Bag) bonds.

3. All residue of the proceeds derived from the income tax after above mentioned appropriations shall be divided equally, one-half of the net proceeds shall be transferred to the Alabama Special Educational Trust Fund and earmarked for payment of public school teachers' salary, and the other one-half of the said proceeds shall be used for the state and counties part in matching Federal Public Welfare assistance programs for aged and other needy persons.

May God bless you and give you Divine Guidance in your deliberations and acts.

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. Relative to appointment of Committee to notify Governor Legislature is in Session and ready for transaction of business, and to ascertain if the Governor desires to address the Legislature.

And the President and Presiding Officer of the Senate appointed as committee on part of the Senate Messrs. Langan and Bridges.

J. E. Speight,
Secretary.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Taylor (Autauga) and Mr. Harris:

H. 1. To propose an Amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 1, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for a second reading on tomorrow.

By Mr. Norman:

H. 2. To propose an Amendment to Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 2, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for a second reading on tomorrow.

By Messrs. Thompson (Crenshaw), Head, Adams (Dale), Cole, Pinson, Brassell, Gillis, Leonard, Pinkston, McDonald, Still, Dobbs (Fayette), and Howell:

H. 3. To propose an amendment to the Constitution relating to the distribution of the proceeds of the State tax on net incomes, ordering a special election thereon, and providing for the payment of expenses of holding the election.

The above and foregoing bill, H. 3, proposing an amendment to the Constitution, was read one time at length referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for a second reading on tomorrow.

By Messrs. Buckner, Gibson, Shelton, Brown, McGowin, Busby, Wallace:

H. 4. To propose an Amendment To Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

The above and foregoing bill, H. 4, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for a second reading on tomorrow.

By Mr. Givhan:

H. 5. To propose an amendment to Article XXII (Amendment

XXV) of the Constitution of Alabama; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature; and to provide for the expenses of holding said election.

The above and foregoing bill, H. 5, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for a second reading on tomorrow.

By Mr. Hornsby :

H. 6. To propose an amendment to the Constitution relating to the distribution of the proceeds of the State tax on net incomes, ordering a special election thereon, and providing for the payment of expenses of holding the election.

The above and foregoing bill, H. 6, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for a second reading on tomorrow.

By Messrs. Roberts and Miller :

H. 7. To submit to the qualified voters of the State of Alabama, at an election to be held on the first Tuesday following the expiration of ninety days from the final adjournment of the present special session of the legislature, for their consideration, an amendment to the Constitution of Alabama, so as to authorize and empower the legislature of Alabama, from time to time, by general or local laws to fix, regulate and alter the fees, commissions, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessors, Tax Collectors, Probate Judges, Circuit Clerks, Sheriffs, and Registers of the Chancery Courts, and provide the method and basis of their compensation in the following named county: Etowah, and whereby all Acts of the legislature, heretofore passed or which may be passed at any time by the legislature in special or regular session at any time prior to said election, and applicable or purporting to be applicable, to said county, and fixing or purporting to fix the compensation of said named county officers on a salary basis, are validated and confirmed.

The above and foregoing bill, H. 7, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for a second reading on tomorrow.

By Messrs. Johnston, Givhan and Harrison :

H. 8. To propose two alternate amendments to Article XXII (Amendment XXV) of the Constitution of Alabama; and to order that a special election by the qualified voters of the State upon the

two proposed alternate amendments be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 8, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for a second reading on tomorrow.

By Messrs. Sullivan and Stone:

H. 9. To propose an Amendment to Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 9, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for a second reading on tomorrow.

By Messrs. Callahan and Shelton:

H. 10. To propose an Amendment to Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 10, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections, and placed on the Calendar for a second reading on tomorrow.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Buckner:

H. J. R. 3. WHEREAS the Chamber of Commerce of the City of Birmingham and the Legislative Delegation of Jefferson County extended to the members of the Legislature of Alabama a most cordial invitation to attend the Fifth Annual Birmingham Stock Show and Sale, featuring the Gene Autry Roedo, and

WHEREAS the members of the Legislature enjoyed exceedingly the gracious hospitality of their hosts, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. The deep appreciation of the members of the Legislature is extended to the Chamber of Commerce of the City of Birmingham, the Legislative Delegation of Jefferson County, and the citizens of

the great County of Jefferson for a most enjoyable, entertaining, and delightful evening in the "Magic City".

2. The members of the Legislature are grateful for the many courtesies shown them upon this occasion.

The Clerk of the House is directed to send a copy of this Resolution to the Chamber of Commerce of the City of Birmingham and each member of the Legislative Delegation of Jefferson County.

On motion of Mr. Buckner the rules were suspended and H. J. R. 3 was adopted.

By Mr. Snodgrass:

H. J. R. 4. BE IT RESOLVED by the House, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet Wednesday, May 14th, at 10 o'clock, A.M.

On motion of Mr. Snodgrass, the rules were suspended and H. J. R. 4 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 4. Relative to adjournment of the two houses until tomorrow May 14, 1947, at 10 o'clock A. M.

J. E. Speight,
Secretary.

ADJOURNMENT

On motion of Mr. Snodgrass, the House, in accordance with a House Joint Resolution heretofore adopted, adjourned until Wednesday, May 14, 1947, at 10 o'clock, A.M.

SECOND DAY

House of Representatives
Montgomery, Alabama
Wednesday, May 14, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with Prayer by the Rev. Henry F. Lyon,
Pastor of Highland Avenue Baptist Church, Montgomery, Ala.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | McClendon | Shelton |
| Adams (Dale) | Dumas | McDonald | Shirley |
| Adams (Jefferson) | Evans | McGowin | Sightler |
| Barnett | Faulk | Malone | Snodgrass |
| Beatty | Frasier | Martin | Stewart |
| Benford | Ganey | Mason | Still |
| Bennett | Garrett | Mathison | Stone |
| Black | George | Meeks | Sullivan |
| Brannan | Gibson | Merrill | Taylor (Autauga) |
| Brassell | Gillis | Miller | Taylor (Hale) |
| Broadwater | Givhan | Mitchell | Thagard |
| Brown | Hankins | Molette | Thomas |
| Buckner | Harris | Nelson | Thompson |
| Busby | Haynes (Franklin) | Nettles | son (Crenshaw) |
| Bush | Haynes (Lowndes) | Norman | Thompson (Pike) |
| Callahan | Head | O'Neal | Tucker |
| Cobb | Hornsby | Pinkston | Vann |
| Coburn | Howell | Pinson | Wallace |
| Cole | Ingalls | Pruitt | Ward |
| Cox | Inzer | Ramey | Weaver |
| Crocker | Johnston | Richardson | Whitcomb |
| Davis | Kaul | Roberts | White (Covington) |
| Denton | Knight | Robinson | White (Perry) |
| Dobbs (Elmore) | Larkins | Rogers | Wood (Bibb) |
| Dobbs (Fayette) | Leonard | Sadler | Wood (Washington) |
| Doughty | Lovelace | Sellers | |

—102

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it

has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S. J. R. 1. BE IT RESOLVED by the Senate, the House concurring that when the two houses adjourn today they adjourn to meet again on Friday, May 16th, 1947, at ten o'clock A. M.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the S. J. R. 1 set out in the above and foregoing message from the Senate, was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H. J. R. 3. Expressing appreciation of the members of the Legislature to the Chamber of Commerce of Birmingham and Jefferson County Legislative delegation for invitation to the rodeo.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration.

By Mr. Patterson:

S. J. R. 2. BE IT RESOLVED by the Senate, the House concurring, that the Legislature of Alabama extend its thanks to the Mobile delegation for the splendid entertainment and seafood supper served to the members of the Legislature, their families, friends and officials on Tuesday, May 13, 1947, at 7 P. M. at the Jefferson Davis Hotel, Montgomery, Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

The S. J. R. 2 set out in the above and foregoing message from the Senate, was read one time and referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Haynes (Franklin):

H. 11. To raise revenue; imposing an additional tax on retail sales of soft drinks; providing that the proceeds of the tax shall be paid into the Alabama Welfare Fund.

Ways and Means.

By Messrs. Sightler, Pinkston, Ingalls, and Busby:

H. 12. To propose an amendment to the Constitution which will permit Montgomery County to levy and collect a tax not exceeding four mills on each dollar of taxable property to be used solely for acquiring, constructing, operating, equipping or maintaining county hospitals or other public hospitals, non-profit hospitals and public health facilities; ordering a special election thereon and provide for the payment of the expenses of the selection.

The above and foregoing bill, H. 12, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

BILLS ON SECOND READING

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bills and ordered same returned to the House without recommendation:

By Messrs. Taylor (Autauga) and Harris (without recommendation):

H. 1. To propose an Amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 1, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Norman (without recommendation):

H. 2. To propose an Amendment to Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 2, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Messrs. Head, Thompson (Crenshaw), Adams (Dale), Cole, Pinson, Brassell, Gillis, Leonard, Pinkston, McDonald, Still, Dobbs (Fayette), and Howell (without recommendation):

H. 3. To propose an amendment to the Constitution relating to the distribution of the proceeds of the State tax on net incomes, ordering a special election thereon, and providing for the payment of expenses of holding the election.

The above and foregoing bill, H. 3, proposing an amendment to the Constitution was read a second time at length and placed on the Calendar.

By Messrs. Buckner, Gibson, Shelton, Brown, Wallace, McGowin, and Busby (without recommendation):

H. 4. To propose an Amendment To Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

The above and foregoing bill, H. 4, proposing an amendment to the Constitution was read a second time at length and placed on the Calendar.

By Mr. Givhan (without recommendation):

H. 5. To propose an amendment to Article XXII (Amendment XXV) of the Constitution of Alabama; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the

present session of the Legislature; and to provide for the expenses of holding said election.

The above and foregoing bill, H. 5, proposing an amendment to the Constitution was read a second time at length and placed on the Calendar.

By Mr. Hornsby (without recommendation):

H. 6. To propose an amendment to the Constitution relating to the distribution of the proceeds of the State tax on net incomes, ordering a special election thereon, and providing for the payment of expenses of holding the election.

The above and foregoing bill, H. 6, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Messrs. Johnston, Givhan & Harrison (without recommendation):

H. 8. To propose two alternate amendments to Article XXII (Amendment XXV) of the Constitution of Alabama; and to order that a special election by the qualified voters of the State upon the two proposed alternate amendments be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 8, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Messrs. Sullivan & Stone (without recommendation):

H. 9. To propose an Amendment to Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 9, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Callahan and Shelton (without recommendation):

H. 10. To propose an Amendment to Article XXII (Amendment XXV) of the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, H. 10, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Barnett, Chairman of the Standing Committee on Constitu-

tion and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Messrs. Roberts and Miller:

H. 7. To submit to the qualified voters of the State of Alabama, at an election to be held on the first Tuesday following the expiration of ninety days from the final adjournment of the present special session of the Legislature, for their consideration, an amendment to the Constitution of Alabama, so as to authorize and empower the legislature of Alabama, from time to time, by general or local laws to fix, regulate and alter the fees, commissions, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessors, Tax Collectors, Probate Judges, Circuit Clerks, Sheriffs, and Registers of the Chancery Courts, and provide the method and basis of their compensation in the following named county Etowah, and whereby all Acts of the legislature, heretofore passed or which may be passed at any time by the legislature in special or regular session at any time prior to said election, and applicable or purporting to be applicable, to said county, and fixing or purporting to fix the compensation of said named county officers on a salary basis, are validated and confirmed.

The above and foregoing bill, H. 7, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

RESOLUTION

The following resolution was introduced:

By Mr. Ganey:

H. J. R. 5. WHEREAS the Alabama School for the Blind at Talladega, Alabama, has a most excellent band, and

WHEREAS that band has expressed a desire to give a short program before the members of the Legislature of Alabama, and

WHEREAS such a program would be greatly enjoyed by the Legislature, therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING:

1. The members of the band of the Alabama School for the Blind are extended an invitation to appear before the House of Representatives and the Senate of the Legislature of Alabama between 11:00 a.m. and 11:30 a.m., May 20, 1947, in the Hall of the House of Representatives, and to give a program of their selection.

2. The Clerk of the House of Representatives is directed to de-

liver a copy of this joint resolution forthwith to the Principal of the Alabama School for the Blind.

On motion of Mr. Ganey the rules were suspended and H. J. R. 5 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H. J. R. 5. Extending invitation to the band of Alabama School for Blind to appear before the Legislature May 20, 1947.

J. E. Speight,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H. R. 6. BE IT RESOLVED BY THE HOUSE that the House do now recess until Friday, May 16th, 10 A.M. and that during said recess do resolve itself into a Committee of the Whole for the purpose of considering the several Bills proposing amendments to the Constitution introduced on yesterday in the House.

On motion of Mr. Snodgrass the rules were suspended and the resolution was adopted. And the House, pursuant to above Resolution H. R. 6, adjourned until Friday, May 16, 1947, at 10 o'clock, A.M.

THIRD DAY

House of Representatives
Montgomery, Alabama
Friday, May 16, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Jennings Baggett, pastor of Highland Gardens Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Lovelace | Sadler |
| Adams (Dale) | Dumas | McClendon | Sellers |
| Adams (Jefferson) | Evans | McDanal | Shelton |
| Barnett | Faulk | McDonald | Shirley |
| Beatty | Frasier | McGowin | Sightler |
| Benford | Ganey | McIlwain | Snodgrass |
| Bennett | Garrett | Malone | Still |
| Black | George | Martin | Stone |
| Brannan | Gibson | Mason | Sullivan |
| Brassell | Gillis | Meeks | Taylor (Autauga) |
| Broadwater | Givhan | Merrill | Taylor (Hale) |
| Brown | Hankins | Miller | Thagard |
| Buckner | Harris | Mitchell | Thomas |
| Busby | Harrison | Molette | Thompson |
| Bush | Haynes (Franklin) | Nelson | son (Crenshaw) |
| Callahan | Haynes (Lowndes) | Nettles | Thompson (Pike) |
| Cobb | Head | Norman | Tucker |
| Coburn | Hornsby | O'Neal | Vann |
| Cole | Howell | Pinkston | Wallace |
| Cox | Ingalls | Pinson | Ward |
| Crocker | Inzer | Pruitt | Weaver |
| Davis | Johnston | Ramey | Whitcomb |
| Denton | Kaul | Richardson | White (Covington) |
| Dobbs (Elmore) | Knight | Roberts | White (Perry) |
| Dobbs (Fayette) | Larkins | Robinson | Wood (Bibb) |
| Doughty | Leonard | Rogers | |

—102

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that

it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

REPORT OF COMMITTEE ON RULES

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the House with a favorable report:

By Mr. Patterson:

S. J. R. 2. BE IT RESOLVED by the Senate, the House concurring, that the Legislature of Alabama extend its thanks to the Mobile delegation for the splendid entertainment and seafood supper served to the members of the Legislature, their families, friends and officials on Tuesday, May 13, 1947, at 7 P.M. at the Jefferson Davis Hotel, Montgomery, Alabama.

And S. J. R. 2 was concurred in and adopted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Broadwater:

H. 13. To propose an amendment to the Constitution of Alabama to authorize and empower the Legislature of Alabama from time to time by general or local laws, but subject to the provisions of Section 281 of the Constitution of Alabama, to fix, regulate and alter the costs, charges of court, fees, commissions, allowances, or salaries to be charged or received by the judge of probate, sheriff, tax assessor, tax collector, clerk of the circuit court, and register in chancery of Limestone County, Alabama; to provide the method and basis of compensation of such officers; to fix the terms of office of such officers; and to consolidate any of the offices held by such officers; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature; and to provide for the expenses of holding said election.

The above and foregoing bill, H. 13, proposing an amendment

to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections, and ordered placed on the Calendar for a second reading.

BILLS ON SECOND READING

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Messrs. Sightler, Pinkston, Ingalls, and Busby:

H. 12. To propose an amendment to the Constitution which will permit Montgomery County to levy and collect a tax not exceeding four mills on each dollar of taxable property to be used solely for acquiring, constructing, operating, equipping or maintaining county hospitals or other public hospitals, non-profit hospitals and public health facilities; ordering a special election thereon and provide for the payment of the expenses of the election.

The above and foregoing bill, H. 12, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H. J. R. 7. WHEREAS, the Alabama Congress of Parents and Teachers and the Alabama Educational Association has extended the members of the Legislature a cordial invitation to be their guests at a buffet supper on Tuesday, May 20th, at seven o'clock in the Ballroom of the Jefferson Davis Hotel, and

WHEREAS, the members of the Legislature deeply appreciate this most welcome invitation,

NOW THEREFORE, Be it resolved by the House, the Senate concurring:

That the Legislature does hereby accept said invitation and extends to the Alabama Congress of Parents and Teachers and the Alabama Educational Association thanks for their thoughtfulness and kindness in extending this invitation, and

BE IT FURTHER RESOLVED, that the Clerk of the House forward to the Alabama Congress of Parents and Teachers and the Alabama Education Association a copy of this Resolution.

On motion of Mr. Snowgrass the rules were suspended and H. J. R. 7 was adopted.

BILLS ON THIRD READING

H. 1. To propose an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after final adjournment of this session of the Legislature.

Was taken up.

Mr. McGowin offered the following substitute for the Bill, H. 1:
A substitute bill by Mr. McGowin for H. 1:

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and a special election by the qualified electors of the State upon the proposed amendment is hereby ordered to be held on the first Tuesday following the expiration of three months after the adjournment of this session of the Legislature. The proposed amendment shall be known as Amendment No. LXI and is as follows:

"Amendment No. LXI. Section A. The entire proceeds of the income tax in the treasury of the State of Alabama on September 30, 1947, including cash and investments and the interest thereon, shall be used for the following purposes and in the following manner:

"1st. The sum of \$12,249,860.00 shall be and is hereby set aside and shall be and is hereby constituted an irrevocable trust fund for the purpose of paying the principal of and interest on the bonds issued by the State of Alabama commonly known as "Income Tax Bonds", being the warrant refunding bonds issued to fund the floating debt existing October 1, 1932, which bonds were issued under the authority of Act No. 14 approved February 5, 1935, and Act No. 50 approved February 8, 1935.

"2nd. An amount (approximately \$6,700,000.00) which, when added to the sinking fund (approximately \$1,857,000.00) heretofore created to pay the bonds issued by the State of Alabama, commonly known as the "Old Bonded Debt" and as "Carpet Bag Bonds" together with the interest on said sinking fund accrued on September 30, 1947, shall equal the principal of said bonds in the sum of \$8,-

557,000.00, shall be as is hereby set aside, and together with said sinking fund and the interest thereon, shall be and is hereby constituted an irrevocable trust fund for the purpose of paying the principal of said bonds upon their maturity, said bonds being the Class A Renewal Bonds, Class C Renewal Bonds and Funding Renewal Bonds. That both of the irrevocable trust funds herein created shall be invested in United States Government securities by the Treasurer of the State of Alabama with the approval of the Governor.

"3rd. The residue shall be paid over to the Building Commission created by Act 128 of 1945 General Acts to be expended by said Building Commission for capital outlay only for the educational purposes provided, however, that not more than twelve per centum of such amount shall be allocated to the institutions of higher learning including the state teachers colleges, and not less than eighty-eight per centum shall be allocated to county and city boards of education on an actual teacher unit basis in accordance with the minimum school program.

"Section B. Beginning October 1, 1947, and thereafter, all net proceeds of such tax, plus the earnings from investment of the trust funds, must be used only in the manner and in the order following: 1) To replace the revenue lost to the several funds of the state by reason of the exemption of homesteads from the State ad valorem tax. All homesteads in Alabama are hereby declared to be exempt from all State ad valorem tax to the extent of at least \$2,000.00 in assessed value and a sufficient amount is hereby appropriated from the proceeds of the income tax in each fiscal year to replace the revenue lost to the several funds of the state by reason of the homestead exemption herein declared; 2) The residue shall be placed in the State Treasury to the credit of the Alabama Special Education Trust Fund to be used for the payment of public school teachers salaries only.

"Section C. This amendment supercedes the provisions of Amendment IXV (Article XXII) relating to the disposition of the Income Tax proceeds insofar as the same are in conflict herewith. All laws relating to the income tax, not in conflict herewith and valid on the date of the ratification of this amendment, are hereby validated and confirmed. The provisions hereof with respect to the creation of funds and the use thereof are declared to be self-executing."

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor, which shall be published in one newspaper in every county in the State once a week for at last four successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided the qualified electors shall vote on such proposed amend-

ment, and on the official ballot provided for such election there shall be printed the following:

"Shall the following be adopted as an amendment to the Constitution of Alabama?

"Amendment No. LXI. Section A. The entire proceeds of the income tax in the treasury of the State of Alabama on September 30, 1947, including each and investments and the interest thereon, shall be used for the following purposes and in the following manner:

"1st. The sum of \$12,249,860.00 shall be and is hereby set aside and shall be and is hereby constituted an irrevocable trust fund for the purpose of paying the principal of and interest on the bonds issued by the State of Alabama commonly known as "Income Tax Bonds", being the warrant refunding bonds issued to fund the floating debt existing October 1, 1932, which bonds were issued under the authority of Act No. 14 approved February 5, 1935, and Act No. 50 approved February 8, 1935.

"2nd. An amount (approximately \$6,700,000.00) which, when added to the sinking fund (approximately \$1,857,000.00) heretofore created to pay the bonds issued by the State of Alabama, commonly known as the "Old Bonded Debt" and as "Carpet Bag Bonds" together with the interest on said sinking fund accrued on September 30, 1947, shall equal the principal of said bonds in the sum of \$8,557,000.00, shall be and is hereby set aside, and together with said sinking fund and the interest thereon, shall be and is hereby constituted an irrevocable trust fund for the purpose of paying the principal of said bonds upon their maturity, said bonds being the Class A Renewal Bonds, Class C Renewal Bonds and Funding Renewal Bonds. That both of the irrevocable funds herein created shall be invested in United States Government securities by the Treasurer of the State of Alabama with the approval of the Governor.

"3rd. The residue shall be paid over to the Building Commission created by Act 128 of 1945 General Acts to be expended by said Building Commission for capital outlay only for educational purposes provided, however, that not more than twelve per centum of such amount shall be allocated to the institutions of higher learning including the state teachers colleges, and not less than eighty-eight per centum shall be allocated to county and city boards of education on an actual teacher unit basis in accordance with the minimum school program.

"Section B. Beginning October 1, 1947, and thereafter, all net proceeds of such tax, plus the earnings from investment of the trust funds, must be used only in the manner and in the order following: 1) To replace the revenue lost to the several funds of the state by reason of the exemption of homesteads from the State ad valorem tax. All homesteads in Alabama are hereby declared to be exempt

from all State ad valorem tax to the extent of at least \$2,000.00 in assessed value and a sufficient amount is hereby appropriated from the proceeds of the income tax in each fiscal year to replace the revenue lost to the several funds of the state by reason of the homestead exemption herein declared; 2) The residue shall be placed in the State Treasury to the credit of the Alabama Special Educational Trust Fund to be used for the payment of public school teachers salaries only.

“Section C. This amendment supercedes the provisions of Amendment XXV (Article XXII) relating to the disposition of the Income Tax proceeds insofar as the same are in conflict herewith. All laws relating to the income tax, not in conflict herewith and valid on the date of the ratification of this amendment, are hereby validated and confirmed. The provisions hereof with respect to the creation of funds and the use thereof are declared to be self-executing.”

“Yes ()”

“No ()”

Section 4. Officers for such election shall be appointed, and the election shall be held in all things in accordance with the law governing general elections. The expense of printing the ballots and holding the election shall be paid as expenses for holding general elections in this State are paid, and there is hereby appropriated out of the available funds of the State Treasury such amounts as may be necessary to defray the same.

Section 5. The votes cast at such election shall be canvassed, and returns thereof made to the Secretary of State and counted in the same manner as in elections for representatives in the Legislature. If it shall appear that a majority of the qualified electors voting at such election on the proposed amendment voted in favor of same, such amendment shall be valid to all intents and purposes as a part of the Constitution of Alabama. The results of such election shall be made known by a proclamation of the Governor.

And the substitute offered by Mr. McGowin for the bill, H. 1, was adopted.

Yeas 91; Nays 1.

| | | | |
|-------------------|-----------------|-------------------|-----------|
| <i>Yeas:</i> | Busby | Evans | Head |
| Mr. Speaker | Bush | Faulk | Howell |
| Adams (Dale) | Cobb | Frasier | Inzer |
| Adams (Jefferson) | Coburn | Ganey | Johnston |
| Barnett | Cox | Garrett | Kaul |
| Beatty | Crocker | George | Knight |
| Benford | Davis | Gibson | Larkins |
| Bennett | Denton | Givhan | Leonard |
| Black | Dobbs (Elmore) | Hankins | Lovelace |
| Brassell | Dobbs (Fayette) | Harris | McClendon |
| Broadwater | Doughty | Harrison | McDanal |
| Brown | Duffee | Haynes (Franklin) | McDonald |
| Buckner | Dumas | Haynes (Lowndes) | McGowin |

| | | | |
|----------|------------|------------------|---------------------|
| McIlwain | Norman | Shirley | Thompson (Crenshaw) |
| Malone | O'Neal | Sightler | Thompson (Pike) |
| Martin | Pinson | Snodgrass | Tucker |
| Mason | Pruitt | Still | Wallace |
| Meeks | Richardson | Stone | Ward |
| Merrill | Roberts | Sullivan | Whitcomb |
| Miller | Robinson | Taylor (Autauga) | White (Covington) |
| Mitchell | Rogers | Taylor (Hale) | White (Perry) |
| Molette | Sadler | Thagard | Wood (Bibb) |
| Nelson | Sellers | Thomas | |
| Nettles | | | |

—91

Nays: Mr. Callahan

— 1

And said bill, H. 1, as thus amended by the substitute was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | McClendon | Rogers |
| Adams (Dale) | Dumas | McDanal | Sadler |
| Adams (Jefferson) | Evans | McDonald | Sellers |
| Barnett | Faulk | McGowin | Shelton |
| Beatty | Frasier | McIlwain | Shirley |
| Benford | Ganey | Malone | Sightler |
| Bennett | Garrett | Martin | Snodgrass |
| Black | George | Mason | Still |
| Brassell | Gibson | Meeks | Stone |
| Broadwater | Givhan | Merrill | Sullivan |
| Brown | Hankins | Miller | Taylor (Autauga) |
| Buckner | Harris | Mitchell | Taylor (Hale) |
| Busby | Harrison | Molette | Thagard |
| Bush | Haynes (Franklin) | Nelson | Thomas |
| Callahan | Haynes (Lowndes) | Nettles | Thompson |
| Cobb | Head | Norman | son (Crenshaw) |
| Coburn | Howell | O'Neal | Thompson (Pike) |
| Cox | Inzer | Pinkston | Tucker |
| Crocker | Johnston | Pinson | Wallace |
| Davis | Kaul | Pruitt | Ward |
| Denton | Knight | Richardson | Whitcomb |
| Dobbs (Elmore) | Larkins | Roberts | White (Covington) |
| Dobbs (Fayette) | Leonard | Robinson | Wood (Bibb) |
| Dowdley | Lovellace | | |

—93

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Haynes of Lowndes and Ganey.

H. J. R. 8. WHEREAS, Dr. Matthew Downer Pace of Troy, Alabama, died on February 26, 1947, and

WHEREAS, Dr. Pace was prominently identified with education in Alabama for fifty-two years, and

WHEREAS, Dr. Pace served for more than half century as

Professor of Mathematics, College Dean and President of State Teachers' College, Troy, Alabama, and

WHEREAS, the noble character and scholarly attributes of Dr. Pace live on in the thousands of students who loved him, and

WHEREAS, his former students and his townspeople desire some lasting memorial to his name and great service to education in Alabama;

THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRED, (1) that the boys' dormitory now being completed on the campus of the State Teachers' College of Troy, Alabama be named Matthew Downer Pace Hall, (2) that the President of State Teachers' College at Troy, Alabama be instructed to have the name Matthew Downer Pace Hall properly placed upon said building, with appropriate dedication services.

On motion of Mr. Ganey the rules were suspended and H. J. R. 8 was adopted.

By Mr. Snodgrass:

H. J. R. 9. BE IT RESOLVED by the House, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet Tuesday, May 20th, at 11:00 o'clock, A.M.

On motion of Mr. Snodgrass the rules were suspended and H. J. R. 9 was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 7. To submit to the qualified voters of the State of Alabama, at an election to be held on the first Tuesday following the expiration of ninety days from the final adjournment of the present special session of the Legislature, for their consideration, an amendment to the Constitution of Alabama, so as to authorize and empower the legislature of Alabama, from time to time, by general or local laws to fix, regulate and alter the fees, commissions, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessors, Tax Collectors, Probate Judges, Circuit Clerks, Sheriffs, and Registers of the Chancery Courts, and provide the method and basis of their compensation in the following named county: Etowah, and whereby all Acts of the legislature, heretofore passed or which may be passed at any time by the legislature in special or regular session at any time prior to said election, and applicable or purporting to be applicable, to said county, and fixed or purporting to fix the compensation of said named county officers on a salary basis, are validated and confirmed.

Was taken up.

Messrs. Miller and Roberts offered the following substitute for the Bill, H. 7:

Substitute for H. B. 7. By Messrs. Miller and Roberts:

A BILL
TO BE ENTITLED
AN ACT

To submit to the qualified voters of the State of Alabama, at an election to be held on the first Tuesday following the expiration of three months from the final adjournment of the present special session of the Legislature, for their consideration, an amendment to the Constitution of Alabama, authorizing and empowering the Legislature of Alabama, from time to time, by general or local laws, to fix, regulate and alter the fees, commissions, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessors, Tax Collectors, Probate Judges, Circuit Clerks, Sheriffs, and Registers of the Chancery Courts, including the right to place any one or all of said officers on a salary and provide for the fees, allowances or compensation collected by said officers to be paid into the treasury from which their salaries are paid, in the following named County: Etowah; and whereby all Acts of the Legislature heretofore passed or which may be passed by the Legislature in special or regular session at any time prior to the adoption of this amendment, and applicable or purporting to be applicable, to said County, and fixing or purporting to fix, the compensation of said named County officers on a salary basis, are validated and confirmed.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified voters of Alabama for their consideration, as hereinafter set forth, viz:

"The Legislature of Alabama may hereafter, from time to time by general or local laws, fix, regulate and alter the fees, commissions, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessors, Tax Collectors, Probate Judges, Circuit Clerks, Sheriffs, and Registers of the Chancery Courts, including the right to place any one or all said officers on a salary and provide for the fees, allowances or compensation collected by said officers to be paid into the treasury from which their salaries are paid, in the following named County: **Etowah.** All Acts of the Legislature, heretofore passed or which may be passed by the Legislature in special or regular session at any time prior to the adoption of this amendment, and applicable or purporting to be applicable, to said County, and fixing or purporting to fix the compensation to said named County officers on a salary basis, are hereby validated and confirmed."

Section 2. That it shall be the duty of the Governor of Alabama to give notice by proclamation to be published in one newspaper in each county in the State of Alabama at least four successive weeks next preceding the date of the election on the amendment proposed by this Act to be submitted to the qualified voters of the State of Alabama for their consideration together with the proposed amendment.

Section 3. That, at an election to be held on the first Tuesday after the expiration of three months after the final adjournment of the present Special Session of the Legislature an election shall be held for the vote of the qualified electors of the State of Alabama upon the proposed amendment. Upon the ballots used at such election shall be printed the following, viz:

"Shall the following be adopted as an amendment to the Constitution of Alabama? 'The Legislature of Alabama may hereafter, from time to time, by general or local laws, fix, regulate and alter the fees, commissions, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessors, Tax Collectors, Probate Judges, Circuit Clerks, Sheriffs, and Registers of the Chancery Courts, including the right to place any one or all of said officers on a salary and provide for the fees, allowances, or compensation collected by said officers to be paid into the treasury from which their salaries are paid, in the following named county: Etowah. All Acts of the Legislature, heretofore passed or which may be passed by the Legislature in Special or Regular session at any time prior to the adoption of this amendment, and applicable or purporting to be applicable, to said County, and fixing or purporting to fix the compensation to said named county officers on a salary basis, are hereby validated and confirmed'.

Yes ()
No. ()"

Section 4. The officers of such election shall open a poll for the vote of the qualified electors upon the proposed amendment. The election shall be held in all things in accordance with the law governing general elections. In the election upon the proposed amendment the votes cast thereat shall be canvassed, tabulated and the returns thereof be made to the Secretary of State and counted in the same manner as in elections for representatives to the legislature of Alabama, and if it shall thereupon appear that a majority of the qualified electors who voted upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor of Alabama.

And the substitute offered by Messrs. Miller and Roberts for the Bill H. 7, was adopted.

Yeas 80; Nays 0.

| | | | |
|-----------------|-------------------|------------|-------------------|
| <i>Yeas:</i> | Ganey | Martin | Sightler |
| Mr. Speaker | Garrett | Mason | Snodgrass |
| Adams (Dale) | George | Meeks | Still |
| Barnett | Gibson | Merrill | Stone |
| Beatty | Gillis | Miller | Sullivan |
| Benford | Givhan | Mitchell | Taylor (Autauga) |
| Bennett | Hankins | Molette | Taylor (Hale) |
| Black | Haynes (Franklin) | Nettles | Thagard |
| Buckner | Head | Norman | Thomp- |
| Busby | Ingalls | Pinkston | son (Crenshaw) |
| Bush | Inzer | Pinson | Thompson (Pike) |
| Cobb | Johnston | Pruitt | Tucker |
| Coburn | Kaul | Richardson | Vann |
| Crocker | Larkins | Roberts | Wallace |
| Davis | Leonard | Robinson | Ward |
| Denton | Loveland | Rogers | Weaver |
| Dobbs (Fayette) | McClendon | Sadler | Whitcomb |
| Duffee | McDanal | Sellers | White (Covington) |
| Evans | McGowin | Shelton | White (Perry) |
| Faulk | McIlwain | Shirley | Wood (Washington) |
| Frasier | Malone | | |

—80

And said Bill, H. 7, as thus amended by the substitute was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

| | | | |
|--------------|-------------------|------------|-------------------|
| <i>Yeas:</i> | Ganey | Mason | Snodgrass |
| Mr. Speaker | Garrett | Meeks | Still |
| Adams (Dale) | George | Merrill | Stone |
| Beatty | Gibson | Miller | Sullivan |
| Benford | Gillis | Mitchell | Taylor (Autauga) |
| Bennett | Givhan | Molette | Taylor (Hale) |
| Black | Hankins | Nettles | Thagard |
| Broadwater | Haynes (Franklin) | Norman | Thomp- |
| Buckner | Ingalls | Pinkston | son (Crenshaw) |
| Busby | Inzer | Pinson | Thompson (Pike) |
| Bush | Johnston | Pruitt | Tucker |
| Cobb | Kaul | Richardson | Vann |
| Coburn | Larkins | Roberts | Wallace |
| Davis | Leonard | Robinson | Ward |
| Denton | Loveland | Sadler | Weaver |
| Doughty | McClendon | Sellers | Whitcomb |
| Duffee | McDanal | Shelton | White (Covington) |
| Evans | McGowin | Shirley | White (Perry) |
| Faulk | McIlwain | Sightler | Wood (Washington) |
| Frasier | Martin | | |

—76

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution:

H. J. R. 9. Relative to adjournment of the two houses until Tuesday, May 20th, at 11 o'clock A. M.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 8. Relative to naming boys' dormitory on campus of State Teachers College, Troy, Alabama, in memory of Matthew Downer Pace.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 7. Expressing appreciation to Alabama Congress of Parents and Teachers and Alabama Education Association and accepting invitation to attend supper on Tuesday, May 20th.

J. E. Speight,
Secretary.

ADJOURNMENT

On motion of Mr. Snodgrass, the House, in accordance with a House Joint Resolution heretofore adopted, adjourned until Tuesday, May 20, 1947, at 11 o'clock, A. M.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 20, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend H. R. Bills, pastor of First Baptist Church, Prattville, Alabama.

ROLL CALL

On a call of the Roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dumas | McClendon | Sellers |
| Adams (Dale) | Evans | McDanal | Shelton |
| Adams (Jefferson) | Faulk | McDonald | Shirley |
| Barnett | Frasier | McGowin | Sightler |
| Beatty | Ganey | McIlwain | Snodgrass |
| Benford | Garrett | Malone | Stewart |
| Bennett | George | Martin | Still |
| Black | Gibson | Mason | Stone |
| Brannan | Gillis | Mathison | Sullivan |
| Brassell | Givhan | Meeks | Taylor (Autauga) |
| Broadwater | Hankins | Merrill | Taylor (Hale) |
| Brown | Harris | Miller | Thagard |
| Buckner | Harrison | Mitchell | Thomas |
| Busby | Haynes (Franklin) | Molette | Thompson (Crenshaw) |
| Bush | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Callahan | Head | Nettles | Tucker |
| Coburn | Hornsby | O'Neal | Vann |
| Cole | Howell | Pinkston | Wallace |
| Cox | Ingalls | Pinson | Ward |
| Crocker | Inzer | Pruitt | Weaver |
| Davis | Johnston | Ramey | Whitcomb |
| Denton | Kaul | Richardson | White (Covington) |
| Dobbs (Elmore) | Knight | Roberts | White (Perry) |
| Dobbs (Fayette) | Larkins | Robinson | Wood (Bibb) |
| Doughty | Leonard | Rogers | Wood (Washington) |
| Duffee | Lovelace | Sadler | |

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it

has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

REPORT OF THE RULES COMMITTEE ON ENGROSSED AND ENROLLED BILL

Mr. Speaker:

Your Standing Committee on Rules reports that it has examined the following House Joint Resolution.

H.J.R. 8. Relative to the boys' dormitory at State Teachers College of Troy, Ala., being named Matthew Downer Pace Hall. and find same correctly Enrolled.

W. M. Beck,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

JOINT SESSION

The hour of 11 o'clock A.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the hall of the House of Representatives, in accordance with House Joint Resolution 5, for the purpose of hearing a concert by the Band of the Alabama Institute for Deaf and Blind.

The joint session was called to order by the Hon. J. C. Inzer, Lieutenant Governor and Presiding Officer of the Senate.

The Director and members of the Band were introduced by Hon. J. C. Ganey, Representative from Talladega County. The concert was enjoyed by members of the Legislature and many visitors.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been

accomplished the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and send same forthwith to the House:

By Messrs. Patton, Russell, Kimbrell, Fite, Golson and Kendall:

S. 1. To propose an Amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 1, the title to which is set out in the above and foregoing message from the Senate, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections, and ordered placed on the Calendar for second reading.

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H.J.R. 10. BE IT RESOLVED by the House, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet Wednesday, May 21st, 1947 at 10:00 o'clock, A.M.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 10 was adopted.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Johnson the following bills were indefinitely postponed: H. 2, H. 3, H. 4, H. 5, H. 6, H. 8, H. 9, and H. 10.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wood (Washington):

H. 14. To amend Sections 753, 755, 774, and 785 of Title 51 of the 1940 Code, which relate to the sales tax.

Ways and Means.

BILLS ON SECOND READING

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Broadwater:

H. 13. To propose an amendment to the Constitution of Alabama to authorize and empower the Legislature of Alabama from time to time by general or local laws, but subject to the provisions of Section 281 of the Constitution of Alabama, to fix, regulate and alter the costs, charges of court, fees, commissions, allowances, or salaries to be charged or received by the judge of probate, sheriff, tax assessor, tax collector, clerk of the circuit court, and register in chancery of Limestone County, Alabama; to provide the method and basis of compensation of such officers; to fix the terms of office of such officers; and to consolidate any of the offices held by such officers; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature; and to provide for the expenses of holding said election.

The above and foregoing bill, H. 13, proposing an amendment to the Constitution, was read a second time at length, and placed on the calendar.

BILL ON THIRD READING

H. 12. To propose an amendment to the Constitution which will permit Montgomery County to levy and collect a tax not exceeding four mills on each dollar of taxable property to be used solely for acquiring, constructing, operating, equipping or maintaining county hospitals or other public hospitals, non-profit hospitals and public health facilities; ordering a special election thereon and provide for the payment of the expenses of the election.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas, 85; Nays, 0.

| | | | |
|-------------------|-------------------|------------|-------------------|
| Yeas: | Duffee | McIlwain | Shirley |
| Mr. Speaker | Dumas | Malone | Sightler |
| Adams (Dale) | Faulk | Martin | Snodgrass |
| Adams (Jefferson) | Ganey | Mason | Stewart |
| Barnett | Garrett | Mathison | Still |
| Beatty | George | Meeks | Stone |
| Benford | Gibson | Merrill | Taylor (Autauga) |
| Bennett | Gillis | Miller | Taylor (Hale) |
| Brannan | Givhan | Mitchell | Thagard |
| Broadwater | Hankins | Nelson | Thomas |
| Buckner | Haynes (Franklin) | O'Neal | Thomp- |
| Busby | Haynes (Lowndes) | Pinkston | son (Crenshaw) |
| Bush | Head | Pinson | Thompson (Pike) |
| Callahan | Howell | Fruitt | Vann |
| Coburn | Ingalls | Ramey | Wallace |
| Cole | Johnston | Richardson | Ward |
| Cox | Kau ¹ | Roberts | Weaver |
| Crocker | Larkins | Robinson | Whitcomb |
| Davis | Leonard | Rogers | White (Covington) |
| Denton | McClendon | Sadler | White (Perry) |
| Dobbs (Elmore) | McDanal | Sellers | Wood (Washington) |
| Dobbs (Fayette) | McDonald | Shelton | |

—85

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the house without engrossment.

By Mr. Allen:

S. 2. To submit to the qualified voters of the State of Alabama, at an election to be held on the first Tuesday following the expiration of three months from the final adjournment of the present special session of the Legislature, for their consideration, an amendment to the Constitution of Alabama, authorizing and empowering the Legislature of Alabama, from time to time, by general or local laws, to fix, regulate and alter the fees, commissions, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessors, Tax Collectors, Probate Judges, Circuit Clerks, Sheriffs, and Registers of the Chancery Courts, including the right to place any one or all of said officers on a salary and provide for the fees, allowances or compensation collected by said officers to be paid into the treasury from which their salaries are paid, in the following named County: Etowah; and whereby all Acts of the Legislature heretofore passed or which may be passed by the Legislature in special or regular session at any time prior to the adoption of this amendment, and applicable or purporting to be applicable, to said County, and fixing or purporting to fix, the compensation of said

named County officers on a salary basis, are validated and confirmed.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, S. 2, the title to which is set out in the above and foregoing message from the Senate, proposing an amendment to the Constitution, was read one time at length, and referred to the Standing Committee on Constitution and Elections, and ordered placed on the calendar for a second reading.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 10. Relative to the adjournment of the two Houses until Wednesday, May 21st, 1947, at 10 o'clock.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment.

By Mr. Cater:

S. 9. To propose an amendment to the Constitution which will permit Montgomery County to levy and collect a tax not exceeding four mills on each dollar of taxable property to be used solely for acquiring, constructing, operating, equipping or maintaining county hospitals or other public hospitals, non-profit hospitals and public health facilities; ordering a special election thereon and provide for the payment of the expenses of the election.

Also:

By Mr. Patton:

S. 10. To propose an amendment to the Constitution of Alabama to authorize and empower the Legislature of Alabama from time to time by general or local laws, but subject to the provisions of Section 281 of the Constitution of Alabama, to fix, regulate and alter the costs, changes of court, fees, commissions, allowances, or salaries to be charged or received by the judge of probate, sheriff, tax assessor, tax collector, clerk of the Circuit court, and

register in chancery of Limestone County, Alabama; to provide the method and basis of compensation of such officers; to fix the terms of office of such officers; and to consolidate any of the offices held by such officers; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature; and to provide for the expenses of holding said election.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Bills, S. 9 and S. 10, the titles to which are set out in the above and foregoing message from the Senate, each proposing an amendment to the Constitution, were read one time at length, and referred to the Standing Committee on Constitution and Elections, and ordered placed on the calendar for a second reading.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:10 P.M. on May 20, 1947.
H. J. R. 8

R. T. Goodwyn, Jr.,
Clerk.

RESOLUTION

The following resolution was introduced:

By Mr. Roberts:

H. J. R. 11. Resolved by the House, the Senate concurring, that the thanks and congratulations of the Legislature be and they are hereby extended to the Principal, the Music Director and the Members of the Band of the Alabama School for the Blind for the splendid program rendered for the Legislature on May 20, 1947.

Be it further resolved that a copy of this resolution be sent to the School.

On motion of Mr. Roberts the rules were suspended and H. J. R. 11 was adopted.

ADJOURNMENT

On motion of Mr. Snodgrass, the House, in accordance with H. J. R. 10 heretofore adopted, adjourned until Wednesday, May 21, 1947, at 10 o'clock, A.M.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, May 21, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. L. E. Barton, Baptist minister and evangelist, Montgomery, Alabama.

ROLL CALL

On a call of the Roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Duffee | Lovelace | Rogers |
| Adams (Dale) | Dumas | McClendon | Sadler |
| Adams (Jefferson) | Evans | McDanal | Shelton |
| Barnett | Faulk | McDonald | Shirley |
| Beatty | Frasier | McGowin | Sightler |
| Benford | Ganey | Malone | Snodgrass |
| Bennett | Garrett | Martin | Stewart |
| Black | George | Mason | Still |
| Brannan | Gibson | Mathison | Stone |
| Brassell | Gillis | Meeks | Sullivan |
| Broadwater | Givhan | Merrill | Taylor (Autauga) |
| Brown | Hankins | Miller | Taylor (Hale) |
| Buckner | Harris | Mitchell | Thagard |
| Busby | Haynes (Franklin) | Molette | Thompson (Crenshaw) |
| Bush | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Callahan | Head | Nettles | Tucker |
| Cobb | Hornsby | Norman | Vann |
| Coburn | Howell | O'Neal | Wallace |
| Cole | Ingalls | Pinkston | Ward |
| Cox | Inzer | Pinson | Weaver |
| Davis | Johnston | Pruitt | White (Covington) |
| Denton | Kaul | Ramey | White (Perry) |
| Dobbs (Elmore) | Knight | Richardson | Wood (Bibb) |
| Dobbs (Fayette) | Larkins | Roberts | Wood (Washington) |
| Doughty | Leonard | Robinson | |

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

BILLS ON SECOND READING

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. Patton, Russell, Fite, Golson, and Kendall (with amendment):

S. 1. To propose an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above and foregoing bill, S. 1, proposing an amendment to the constitution, was read a second time at length and placed on the calendar.

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Mr. Allen:

S. 2. To submit to the qualified voters of the State of Alabama, at an election to be held on the first Tuesday following the expiration of three months from the final adjournment of the present special session of the Legislature, for their consideration, an amendment to the Constitution of Alabama, authorizing and empowering the Legislature of Alabama, from time to time, by **general or local laws, to fix, regulate and alter the fees, commissions, allowances, and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessors, Tax Collectors, Probate Judges, Circuit Judges, Circuit Clerks, Sheriffs, and Registers of the Chancery Courts, including the**

right to place any one or all of said officers on a salary and provide for the fees, allowances or compensation collected by said officers to be paid into the treasury from which their salaries are paid, in the following named County: Etowah; and whereby all Acts of the Legislature heretofore passed or which may be passed by the Legislature in special or regular session at any time prior to the adoption of this amendment, and applicable or purporting to be applicable, to said County, and fixing or purporting to fix, the compensation of said named County officers on a salary basis, are validated and confirmed.

The above and foregoing bill, S. 2, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Cater:

S. 9. To propose an amendment to the Constitution which will permit Montgomery County to levy and collect a tax not exceeding four mills on each dollar of taxable property to be used solely for acquiring, constructing, operating, equipping or maintaining county hospitals or other public hospitals, non-profit hospitals and public health facilities; ordering a special election thereon and provide for the payment of the expenses of the election.

The above and foregoing bill, S. 9, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Patton:

S. 10. To propose an amendment to the Constitution of Alabama to authorize and empower the Legislature of Alabama from time to time by general or local laws, but subject to the provisions of Section 281 of the Constitution of Alabama, to fix, regulate and alter the costs, charges of court, fees, commissions, allowances, or salaries to be charged or received by the judge of probate, sheriff, tax assessor, tax collector, clerk of the circuit court, and register in chancery of Limestone County, Alabama; to provide the method and basis of compensation of such officers; to fix the terms of office of such officers; and to consolidate any of the offices held by such officers; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature; and to provide for the expenses of holding said election.

The above and foregoing bill, S. 10, proposing an amendment to the Constitution, was read a second time at length and placed on the calendar.

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RESOLUTIONS

The following resolutions were introduced:

By Mr. Snodgrass:

H.J.R. 12. BE IT RESOLVED by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again tomorrow, May 22, 1947, at 10 o'clock, A.M., and that when they adjourn tomorrow they adjourn sine die.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 12 was adopted.

By Mr. Harris:

H.J.R. 13. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that the acts of the extraordinary session of the Legislature which convened on March 3, 1947, and the acts of the extraordinary session of the Legislature which convened on May 13, 1947, be bound in the same volume or volumes in which the acts of the regular session of the Legislature of 1947 are bound, and that the journals of the House and Senate of said extraordinary sessions be bound together with the journals of the House and Senate, respectively, of the regular session of the Legislature of 1947, and that the Clerk of the House and Secretary of the Senate and the Secretary of State be authorized and directed to have said acts and journals bound as aforesaid.

On motion of Mr. Harris the rules were suspended and H.J.R. 13 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1. To propose an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

J. E. Speight,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Haynes of Franklin:

H.J.R. 14. BE IT RESOLVED by the House of Representatives, the Senate concurring:

WHEREAS, The Alabama Educational Association and the

Alabama Congress of Parents and Teachers entertained the Alabama Legislature so royally and bountifully at a buffet supper at the Jefferson Davis Hotel on May 20, 1947,

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the Senate concurring, that we hereby express our thanks and appreciation for this entertainment.

On motion of Mr. Haynes the rules were suspended and H.J.R. 14 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 12. Relative to adjournment of the two Houses until tomorrow, May 22, at 10 o'clock A.M. and that when they adjourn tomorrow they adjourn sine die.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

A RESOLUTION

By Mr. Coleman:

S.J.R. 4. To invite Fleet Admiral Chester W. Nimitz to address a joint session of the Legislature of Alabama.

PREAMBLE

WHEREAS the illustrious Fleet Admiral and World War II hero Chester W. Nimitz, whose leadership of our naval forces in the Pacific Ocean Areas during the recent war hastened the destruction of the Japanese war machine, will be an honored visitor in Alabama on June 9, and

WHEREAS the Legislature of Alabama desires the privilege of being addressed by this eminent personage, who commands the greatest sea power in history, the force that became so powerful that it roamed wherever and whenever it desired and outfought the German submarine menace and utterly destroyed the Japanese fleet, therefore

Be it Resolved by the Senate, the House concurring:

1. A most cordial invitation is extended Fleet Admiral Chester W. Nimitz to address a joint session of the two Houses of the Legislature of Alabama on June 10, 1947, at such hour as may be convenient to him.

2. A committee of six members of the Legislature shall be appointed, three from the House of Representatives by the Speaker of the House and three from the Senate by the President of the Senate, who shall communicate with the party of Fleet Admiral Nimitz and invite him to speak to a joint session of the Legislature of Alabama.

And the President and Presiding Officer appointed as committee on part of the Senate Messrs. Coleman, Mize and Barrett.
J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the House concurred in and adopted the Senate Joint Resolution No. 4 set out in the above and foregoing message from the Senate.

And the Speaker named as committee on the part of the House: Messrs. Shelton, Ramey and Wood of Bibb.

ADJOURNMENT

On motion of Mr. Snodgrass, the House, in accordance with H.J.R. 12 heretofore adopted, adjourned until Thursday, May 22, 1947, at 10:00 o'clock A.M.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Thursday, May 22, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Samuel M. Brown, Pastor of Dalraida Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the Roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Lovelace | Sadler |
| Adams (Dale) | Dumas | McClendon | Sellers |
| Adams (Jefferson) | Faulk | McDanal | Shelton |
| Barnett | Frasier | McDonald | Shirley |
| Beatty | Ganey | McGowin | Sightler |
| Benford | Garrett | McIlwain | Snodgrass |
| Bennett | George | Martin | Stewart |
| Black | Gibson | Mason | Stone |
| Brannan | Gillis | Mathison | Sullivan |
| Brassell | Givhan | Meeks | Taylor (Autauga) |
| Broadwater | Hankins | Merrill | Taylor (Hale) |
| Brown | Harris | Miller | Thagard |
| Buckner | Harrison | Mitchell | Thomas |
| Busby | Haynes (Franklin) | Molette | Thomp- |
| Bush | Haynes (Lowndes) | Nelson | son (Crenshaw) |
| Callahan | Head | Nettles | Thompson (Pike) |
| Cobb | Hornsby | O'Neal | Tucker |
| Coburn | Howell | Pinkston | Wallace |
| Cole | Ingalls | Pinson | Ward |
| Cox | Inzer | Pruitt | Weaver |
| Crocker | Johnston | Ramey | Whitcomb |
| Davis | Kaul | Richardson | White (Covington) |
| Denton | Knight | Roberts | White (Perry) |
| Dobbs (Elmore) | Larkins | Robinson | Wood (Bibb) |
| Dobbs (Fayette) | Leonard | Rogers | Wood (Washington) |
| Doughty | | | |

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that

it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 13. Relative to the binding of the Journals of the House and Senate of the extraordinary sessions in the same volume or volumes of the regular session of the Legislature of 1947.

J. E. Speight,
Secretary.

REPORT OF THE RULES COMMITTEE ON ENGROSSED AND ENROLLED BILL

Mr. Speaker:

Your Standing Committee on Rules reports that it has examined the following House Bill and House Joint Resolution, to wit;

H. 1. To propose an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

Also:

H.J.R. 13. Relative to the binding together of the Acts and the Journals of the House and the Senate of the Extraordinary Sessions and the regular session of the Legislature of 1947.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill and House Joint Resolution,

the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 14. Relative to extending thanks to the Alabama Educational Association and the Alabama Congress of Parents and Teachers for a buffet supper given members of the Legislature at the Jefferson Davis Hotel on May 20, 1947.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration.

By Mr. Patton:

S.J.R. 5. BE IT RESOLVED by Senate, the House concurring, that upon the passage of House Bill No. 1, the same shall be called the Harris, Patton, Taylor, Russell, Norman, Kimbrell, Buckner, Fite, Wallace, Clayton, Golson, Shelton, Kendall, Brown, Boutwell, McGowin, Allen, Busby, Lowe, Patterson, Gibson, Summerlin, Broadwater, Burnside, Mize, Wright, Swift and Lamberth Bill.

BE IT FURTHER RESOLVED that the names of any other members of the Legislature who voted favorably for said bill may, upon his request to the Secretary of the Senate or Clerk of the House of Representatives within twenty-four hours after the final passage of the bill, have his name added as sponsor thereof.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the House concurred in and adopted the S.J.R. 5 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having

signed the following S.J.R. your signature thereto is requested:

S.J.R. 4. Relative to: Fleet Admiral Nimitz speaking to a joint session of the Legislature.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 7. To submit to the qualified voters of the State of Alabama, at an election to be held on the first Tuesday following the expiration of three months from the final adjournment of the present special session of the Legislature, for their consideration, an amendment to the Constitution of Alabama, authorizing and empowering the Legislature of Alabama, from time to time, by general or local laws, to fix, regulate and alter the fees, commissions, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessors, Tax Collectors, Probate Judges, Circuit Clerks, Sheriffs, and Registers of the Chancery Courts, including the right to place any one or all of said officers on a salary and provide for the fees, allowances or compensation collected by said officers to be paid into the treasury from which their salaries are paid, in the following named County: Etowah; and whereby all Acts of the Legislature heretofore passed or which may be passed by the Legislature in special or regular session at any time prior to the adoption of this amendment, and applicable or purporting to be applicable, to said County, and fixing or purporting to fix, the compensation of said named County officers on a salary basis, are validated and confirmed.

Also:

H. 12. To propose an amendment to the Constitution which will permit Montgomery County to levy and collect a tax not exceeding four mills on each dollar of taxable property to be used solely for acquiring, constructing, operating, equipping or main-

taining county hospitals or other public hospitals, non-profit hospitals and public health facilities; ordering a special election thereon and provide for the payment of the expenses of the election.

J. E. Speight,
Secretary.

BILLS ON THIRD READING

S. 1. To propose an Amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed Amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Constitution and Elections, said amendment being as follows:

Amend Senate Bill No. 1 by striking therefrom the words, "or State of Alabama" where same appears in Section 1, page 2, line 11, of the said bill, and where same appears in Section 3, page 4, line 24, of the said bill.

And the amendment reported by the Standing Committee on Constitution and Elections was adopted.

Yeas, 68; Nays, 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Leonard | Roberts |
| Adams (Dale) | Doughty | McClendon | Sadler |
| Adams (Jefferson) | Dumas | McDonald | Sellers |
| Barnett | Faulk | McIlwain | Shelton |
| Beatty | Garrett | Martin | Shirley |
| Benford | George | Mason | Sightler |
| Black | Gibson | Mathison | Snodgrass |
| Broadwater | Gillis | Meeks | Sullivan |
| Buckner | Hankins | Miller | Taylor (Autauga) |
| Busby | Harrison | Mitchell | Taylor (Hale) |
| Bush | Haynes (Franklin) | Molette | Thompson (Pike) |
| Callahan | Haynes (Lowndes) | Nelson | Wallace |
| Cobb | Head | Pinkston | Ward |
| Coburn | Ingalls | Pinson | Weaver |
| Davis | Inzer | Pruitt | Whitcomb |
| Denton | Johnston | Ramey | White (Covington) |
| Dobbs (Elmore) | Larkins | Richardson | Wood (Bibb) |

—68

Messrs. Sightler, Busby, Ingalls and Pinkston offered the following amendment to the bill S. 1, as amended:

Amend S. 1 by striking therefrom the following words in Section 3 on page 2 "an actual teacher unit basis in accordance with the minimum school program" and inserting therefor the following: "On the percentage basis that the number of school children

in each city or county school system as shown by the 1946 school census bears to the total number of school children in the State of Alabama as shown by said school census."

On motion of Mr. Harris, S. 1 as amended, and the pending amendment, were indefinitely postponed.

Yeas 63; Nays 15.

Yeas:

| | | | |
|--------------|-------------------|-----------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Larkins | Richardson |
| Adams (Dale) | Dobbs (Fayette) | Leonard | Sellers |
| Barnett | Doughty | Lovelace | Shelton |
| Beatty | Faulk | McClendon | Shirley |
| Benford | Frasier | McDonald | Snodgrass |
| Black | Ganey | McIlwain | Taylor (Autauga) |
| Broadwater | Garrett | Martin | Taylor (Hale) |
| Brown | George | Mason | Thompson (Pike) |
| Buckner | Hankins | Mathison | Wallace |
| Bush | Harris | Mitchell | Ward |
| Callahan | Harrison | Molette | Weaver |
| Cobb | Haynes (Franklin) | Nelson | Whitcomb |
| Coburn | Head | O'Neal | White (Covington) |
| Crocker | Inzer | Pinson | Wood (Bibb) |
| Davis | Kaul | Pruitt | Wood (Washington) |
| Denton | Knight | Ramey | —63 |

Nays:

| | | | |
|-------------------|------------------|----------|----------------|
| Messrs.: | Haynes (Lowndes) | Meeks | Sightler |
| Adams (Jefferson) | Howell | Miller | Sullivan |
| Busby | Ingalls | Pinkston | Thomp- |
| Dumas | Johnston | Sadler | son (Crenshaw) |
| Gibson | | | —15 |

And the bill:

S. 2. To submit to the qualified voters of the State of Alabama, at an election to be held on the first Tuesday following the expiration of three months from the final adjournment of the present special session of the Legislature, for their consideration, an amendment to the Constitution of Alabama, authorizing and empowering the Legislature of Alabama, from time to time, by general or local laws, to fix, regulate and alter the fees, commissions, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessors, Tax Collectors, Probate Judges, Circuit Clerks, Sheriffs, and Registers of the Chancery Courts, including the right to place any one or all of said officers on a salary and provide for the fees, allowances or compensation collected by said officers to be paid into the **treasury from which their salaries are paid, in the following named County: Etowah; and whereby all Acts of the Legislature heretofore passed or which may be passed by the Legislature in special or regular session at any time prior to the adoption of this amendment, and applicable or purporting to be applicable, to said County,**

and fixing or purporting to fix, the compensation of said named County officers on a salary basis, are validated and confirmed.

Was read a third time at length and passed.

Yeas 76; Nays 0.

| | | | |
|-------------------|-------------------|-----------|---------------------|
| <i>Yeas:</i> | | | |
| Mr. Speaker | Dobbs (Fayette) | Kaul | Richardson |
| Adams (Dale) | Doughty | Larkins | Roberts |
| Adams (Jefferson) | Dumas | Lovelace | Sadler |
| Beatty | Faulk | McClendon | Sellers |
| Benford | Frasier | McDonald | Shelton |
| Black | Garrett | McIlwain | Shirley |
| Broadwater | George | Martin | Sightler |
| Brown | Gibson | Mason | Snodgrass |
| Buckner | Gillis | Mathison | Taylor (Autauga) |
| Busby | Hankins | Meeks | Taylor (Hale) |
| Bush | Harrison | Miller | Thompson (Crenshaw) |
| Callahan | Haynes (Franklin) | Mitchell | Thompson (Pike) |
| Cobb | Haynes (Lowndes) | Molette | Wallace |
| Coburn | Head | Nelson | Ward |
| Cole | Hornsby | O'Neal | Weaver |
| Cox | Howell | Pinkston | Whitcomb |
| Crocker | Ingalls | Pinson | White (Covington) |
| Davis | Inzer | Pruitt | Wood (Bibb) |
| Denton | Johnston | Ramey | |
| Dobbs (Elmore) | | | |

—76

And the bill:

S. 9. To propose an amendment to the Constitution which will permit Montgomery County to levy and collect a tax not exceeding four mills on each dollar of taxable property to be used solely for acquiring, constructing, operating, equipping or maintaining county hospitals or other public hospitals, non-profit hospitals and public health facilities; ordering a special election thereon and provide for the payment of the expenses of the election.

Was read a third time at length and passed.

Yeas 80; Nays 0.

| | | | |
|-------------------|-----------------|-------------------|-----------|
| <i>Yeas:</i> | | | |
| Mr. Speaker | Callahan | George | Kaul |
| Adams (Dale) | Cobb | Gibson | Knight |
| Adams (Jefferson) | Coburn | Gillis | Larkins |
| Barnett | Cole | Givhan | Leonard |
| Beatty | Cox | Hankins | McClendon |
| Benford | Davis | Harris | McDanal |
| Black | Denton | Haynes (Franklin) | McDonald |
| Brannan | Dobbs (Elmore) | Haynes (Lowndes) | McIlwain |
| Broadwater | Dobbs (Fayette) | Head | Martin |
| Brown | Faulk | Hornsby | Mason |
| Buckner | Frasier | Howell | Mathison |
| Busby | Ganey | Ingalls | Meeks |
| Bush | Garrett | Inzer | Merrill |

| | | | |
|----------|------------|------------------|-------------------|
| Miller | Richardson | Sightler | Thompson (Pike) |
| Mitchell | Roberts | Snodgrass | Wallace |
| Molette | Rogers | Stewart | Ward |
| Nelson | Sadler | Taylor (Autauga) | Weaver |
| Pinkston | Sellers | Thagard | Whitcomb |
| Pinson | Shelton | Thomp- | White (Covington) |
| Pruitt | Shirley | son (Crenshaw) | Wood (Bibb) |
| Ramey | | | |

—80

And the bill:

S. 10. To propose an amendment to the Constitution of Alabama to authorize and empower the Legislature of Alabama from time to time by general or local laws, but subject to the provisions of Section 281 of the Constitution of Alabama, to fix, regulate and alter the costs, charges of court, fees, commissions, allowances, or salaries to be charged or received by the judge of probate, sheriff, tax assessor, tax collector, clerk of the Circuit court, and register in chancery of Limestone County, Alabama; to provide the method and basis of compensation of such officers; to fix the terms of office of such officers; and to consolidate any of the offices held by such officers; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature; and to provide for the expenses of holding said election.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Ingalls | Sadler |
| Adams (Dale) | Dobbs (Elmore) | Inzer | Sellers |
| Adams (Jefferson) | Dobbs (Fayette) | Larkins | Shelton |
| Barnett | Doughty | McClendon | Shirley |
| Benford | Faulk | McDanal | Sightler |
| Black | Frasier | McDonald | Snodgrass |
| Brassell | Ganey | Martin | Stewart |
| Broadwater | Garrett | Mason | Taylor (Autauga) |
| Brown | George | Mathison | Taylor (Hale) |
| Buckner | Gibson | Merrill | Thomp- |
| Busby | Gillis | Miller | son (Crenshaw) |
| Bush | Givhan | Mitchell | Thompson (Pike) |
| Callahan | Hankins | Molette | Wallace |
| Cobb | Harris | Nelson | Ward |
| Coburn | Haynes (Franklin) | O'Neal | Weaver |
| Cole | Haynes (Lowndes) | Pinkston | Whitcomb |
| Cox | Head | Ramey | White (Covington) |
| Crocker | Hornsby | Richardson | Wood (Bibb) |
| Davis | Howell | Roberts | |

—74

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H.J.R. 15. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that a Committee be appointed, three members of the House, to be named by the Speaker of the House, and two members of the Senate, to wait upon the Governor and to inform him that the two Houses are ready to adjourn sine die and ascertain if he desires to transmit any further message to the Legislature,

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 15 was adopted.

And the Speaker named as Committee on the part of the House: Messrs. Wallace, Weaver and Benford.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 15. Relative to appointing a committee to inform the Governor the Legislature is ready to adjourn sine die and to ascertain if he desires to transmit any further message, to the Legislature.

And the President and Presiding Officer of the Senate appointed as committee on part of the Senate, Messrs. Hooton and Howle.

J. E. Speight,
Secretary.

REPORT OF COMMITTEE

Mr. Weaver, on behalf of the Committee, reported that the Governor had no further messages for the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Mize:

S.J.R. 6. WHEREAS, Dr. John M. Gallalee, Technical Director of the State Building Commission, has expressed a desire to return to his position on the Faculty of the University of Ala-

bama at the expiration of his term of office, June 1, 1947; and

WHEREAS, the membership of the Senate of Alabama and the House of Representatives is familiar with the outstanding service Dr. Gallalee has given to the State of Alabama's building program in his position as Director of Technical Staff; and

WHEREAS, Dr. Gallalee, although drawing a salary of \$12,000 per year—the highest salary paid any State official—has saved the State many times that much money through the reduction in fee-scale of architects employed on the various projects authorized by the Building Commission; and

WHEREAS, the Legislature of Alabama will not again be in session before June 1, 1947, the date upon which Dr. Gallalee's term of office expires:

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, that the two bodies express their appreciation of Dr. Gallalee's services to the State, and ask that he seriously reconsider his determined decision to sever his connection with the Building Commission on June 1, 1947, and allow his name to come up for consideration before the incoming Building Commission for re-appointment to his present position;

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journals of the Senate of Alabama and the House of Representatives; that a copy be given to the present Building Commission in session in the Governor's office at this hour; and a copy be given to Dr. Gallalee.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass, the rules were suspended and the House concurred in and adopted the Senate Joint Resolution No. 6 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Cater and Allen:

S.J.R. 7. BE IT RESOLVED by the Senate, the House concurring, that Senate Bill 2 which has passed both Houses of the Legislature be and the same is hereby named the Allen, Miller, Roberts Bill.

BE IT FURTHER RESOLVED that Senate Bill No. 9, which

has also passed both Houses of the Legislature be and the same is hereby named the Cater, Sightler, Pinkston, Ingalls, Busby Bill.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the House concurred in and adopted the S.J.R. ↑ set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 11. Relative to extending thanks and congratulations to the Principal, the Music Director and the members of the Band of the Alabama School for the Blind for the splendid program rendered for the members of the Legislature on May 20, 1947.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration.

By Mr. Patton:

S.J.R. 8. BE IT RESOLVED by the Senate, the House concurring, that Senate Bill No. 10 be known as the Patton-Broadwater Bill.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Broadwater, the rules were suspended and the House concurred in and adopted the Senate Joint Resolution No. 8 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following S.J.R. your signature thereto is requested:

S.J.R. 5. Relative to: Naming H. 1.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills your signature thereto is requested:

S. 2. To submit to the qualified voters of the State of Alabama, at an election to be held on the first Tuesday following the expiration of three months from the final adjournment of the present special session of the Legislature, for their consideration, an amendment to the Constitution of Alabama, authorizing and empowering the Legislature of Alabama, from time to time, by general or local laws, to fix, regulate and alter the fees, commissions, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessors, Tax Collectors, Probate Judges, Circuit Clerks, Sheriffs, and Registers of the Chancery Courts, including the right to place any one or all of said officers on a salary and provide for the fees, allowances or compensation collected by said officers to be paid into the treasury from which their salaries are paid, in the following named County: Etowah; and whereby all Acts of the Legislature heretofore passed or which may be passed by the Legislature in special or regular session at any time prior to the adoption of this amendment, and applicable or purporting to be applicable, to said County, and fixing or purporting to fix, the compensation of said named County officers on a salary basis, are validated and confirmed.

Also:

S. 9. To propose an amendment to the Constitution which will permit Montgomery County to levy and collect a tax not exceeding four mills on each dollar of taxable property to be used solely for acquiring, constructing, operating, equipping or maintaining county hospitals or other public hospitals, non-profit hospitals and public health facilities; ordering a special election thereon and provide for the payment of the expenses of the election.

Also:

S. 10. To propose an amendment to the Constitution of Alabama to authorize and empower the Legislature of Alabama from

time to time by general or local laws, but subject to the provisions of Section 281 of the Constitution of Alabama, to fix, regulate and alter the costs, charges of court, fees, commissions, allowances, or salaries to be charged or received by the judge of probate, sheriff, tax assessor, tax collector, clerk of the Circuit court, and register in chancery of Limestone County, Alabama; to provide the method and basis of compensation of such officers; to fix the terms of office of such officers; and to consolidate any of the offices held by such officers; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature; and to provide for the expenses of holding said election.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Message from the Senate.

REPORT OF THE RULES COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Joint Resolution, to wit;

H.J.R. 11. Relative to expressing thanks and congratulations of the Legislature extended to the members of the Band of the Alabama School for the Blind.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following S.J.R. your signature thereto is requested:

S.J.R. 6. Relative to commending Dr. John M. Gallalee for his work with the State and requesting that he reconsider his resignation.

Also:

S.J.R. 7. Relative to the naming of Senate Bill No. 2 and Senate Bill No. 9.

Also:

S.J.R. 8. Relative to the naming of Senate Bill No. 10.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing message from the Senate.

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House Bill and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:18 A.M. on May 22, 1947.
H.J.R. 13.

Delivered to the Governor at 12:10 P.M. on May 22, 1947.
H.J.R. 11.

Delivered to the Secretary of State at 10:25 A.M. on May 22, 1947. H. 1.

R. T. Goodwyn, Jr.,
Clerk.

NAMES ADDED AS CO-AUTHORS OF H. 1

Pursuant to Senate Joint Resolution No. 5, the following members of the House of Representatives requested the Clerk of the House to add their names as co-authors of House Bill No. 1: Messrs. Inzer, Miller, Sellers, McDonald, Nelson, Benford, Molette, Haynes (Franklin), Gibson, Mitchell, Ramey, Taylor (Hale), Pinson, Haynes (Lowndes), Denton, Hankins, White (Covington), Bush, Callahan, Johnston, Sullivan, Wood (Bibb), Ganey, Larkins, Dobbs (Elmore), Meeks, Mathison and Lovelace and Richardson.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the six legislative day was approved.

ADJOURNMENT

On motion of Mr. Snodgrass, the House at 12:15 P.M., adjourned sine die.

W. M. Beck
Speaker of the House of Representatives
of the Legislature of Alabama
Special Session May 1947.

ATTEST:

R. T. Goodwyn, Jr.
Clerk of the House of Representatives
of the Legislature of Alabama
Special Session May 1947.

LEGISLATIVE DAYS—SECOND EXTRAORDINARY
SESSION 1947

| Legislative Day—Calendar Day | Page |
|---|------|
| FIRST DAY—Tuesday, May 13, 1947..... | 3 |
| SECOND DAY—Wednesday, May 14, 1947..... | 12 |
| THIRD DAY—Friday, May 16, 1947..... | 19 |
| FOURTH DAY—Tuesday, May 20, 1947..... | 32 |
| FIFTH DAY—Wednesday, May 21, 1947..... | 39 |
| SIXTH DAY—Thursday, May 22, 1947..... | 45 |

INDEX

SECOND EXTRAORDINARY SESSION 1947

ALABAMA WELFARE FUND

Imposing additional tax on retail sales of soft drinks; proceeds to be paid into Alabama Welfare Fund, H. 11, p. 14

CODE 1940 AMENDED

Amend Sections 753, 755, 774, and 785 of Title 51 of the 1940 Code, which relate to the sales tax, H. 14, p. 35

CONSTITUTIONAL AMENDMENTS

Amend Article XXII (Amendment XXV) of the Constitution (relates to tax on net incomes), H. 2, pp. 8, 15, 34

Amend Article XXII (Amendment XXV) of the Constitution (relates to tax on net incomes), H. 4, pp. 8, 15, 34

Amend Article XXII (Amendment XXV) of the Constitution (relates to tax on net incomes), H. 5, pp. 9, 15, 16, 34

Amend Article XXII (Amendment XXV) of the Constitution (relates to tax on net incomes), H. 8, pp. 9-10, 16, 34

Amend Article XXII (Amendment XXV) of the Constitution (relates to tax on net incomes), H. 9, pp. 10, 16, 34

Amend Article XXII (Amendment XXV) of the Constitution (relates to tax on net incomes), H. 10, pp. 10, 16, 34

Proposing Constitutional Amendment, S. 1, pp. 34, 40, 49-50

Amend Constitution to permit Montgomery County to levy and collect tax for maintenance of county hospital. H. 12, pp. 14, 35-6, 48-9; S. 9, pp. 37, 41, 51-2, 56-7

Relates to disposition of income tax proceeds. H. 1, pp. 8, 15, 22-26, 42, 46, 47, 55, 58, 59

Relates to Officers of Etowah County. H. 7, pp. 9, 17, 27-30, 48; S. 2, pp. 36-7, 40-1, 50-1, 54-5, 56-7, 58

Relates to Officers of Limestone County. H. 13, pp. 20, 35; S. 10, pp. 37-8, 41, 52, 55, 56, 58

Relates to tax on net incomes. H. 3, pp. 8, 15, 34

Relates to tax on net incomes. H. 6, pp. 9, 16, 34

ETOWAH COUNTY

Constitutional Amendment relating to officers of Etowah County. H. 7, pp. 9, 17, 27-30, 48; S. 2, pp. 36-7, 40-1, 50-1, 54-5, 56-7, 58

GALLALEE, DR. JOHN M

Expressing appreciation of services of, S. J. R. 6, pp. 53-4, 58

GOVERNOR

Informing that Legislature has perfected organization, H. J. R. 2, pp. 5-6

Message to Legislature, pp. 6-7

Proclamation of, calling extra session, pp. 3-4

HOSPITAL

Proposing amendment to Constitution permitting Montgomery County to levy tax for maintenance of county hospital, H. 12, pp. 14, 35-6, 48-9; S. 9, pp. 37, 41, 51-2, 56-7.

HOUSE BILLS

H. 1, pp. 8, 15, 22-26, 42, 46, 47, 55, 58, 59

H. 2, pp. 8, 15, 34

H. 3, pp. 8, 15, 34

H. 4, pp. 8, 15, 34.

HOUSE BILLS (Continued)

- H. 5, pp. 9, 15, 16, 34
- H. 6, pp. 9, 16, 34
- H. 7, pp. 9, 17, 27-30, 48
- H. 8, pp. 9, 10, 16, 34
- H. 9, pp. 10, 16, 34
- H. 10, pp. 10, 16, 34
- H. 11, pp. 14
- H. 12, pp. 14, 35-6, 48-9
- H. 13, pp. 20, 35
- H. 14, pp. 35

INCOME TAX

- Proposing Constitutional Amendment, relating to H. 2, pp. 8, 15, 34
- Proposing Constitutional Amendment, relating to H. 4, pp. 8, 15, 34
- Proposing Constitutional Amendment, relating to H. 5, pp. 9, 15, 16, 34
- Proposing Constitutional Amendment, relating to H. 8, pp. 9-10, 16, 34
- Proposing Constitutional Amendment, relating to H. 9, pp. 10, 16, 34
- Proposing Constitutional Amendment, relating to H. 10, pp. 10, 16, 34
- Proposing Constitutional Amendment, relating to H. 1, pp. 8, 15, 22-26, 42, 46, 47, 55, 58, 59
- Proposing Constitutional Amendment, relating to H. 3, pp. 8, 15, 34
- Proposing Constitutional Amendment, relating to H. 6, pp. 9, 16, 34

JEFFERSON COUNTY DELEGATION

- Expressing appreciation for trip to Birmingham, H. J. R. 3, pp. 10-11, 13

LIMESTONE COUNTY

- Proposing Constitutional Amendment
- Relating to officers of, H. 13, pp. 20, 35; S. 10, pp. 37-8, 41, 52, 55, 56-7, 58

MONTGOMERY COUNTY

- Proposing Constitutional Amendment permitting Montgomery County to levy and collect tax for maintenance of county hospital, H. 12, pp. 14, 35-6, 48-9; S. 9, pp. 37, 41, 51-2, 56-7

RESOLUTIONS

- Accepting invitation of Alabama Congress of Parents and Teachers and the Alabama Educational Association for Legislature to be their guests at buffet supper, H. J. R. 7, pp. 21, 31.
- Acts of First and Second Extraordinary Session to be bound with Acts of Regular Session of the Legislature of 1947. H. J. R. 13, pp. 42, 46, 58
- Adjournment until May 14, 1947, H. J. R. 4, p. 11
- Adjournment to Friday, May 16, 1947, S. J. R. 1, p. 13
- Adjournment to May 20, 1947, H. J. R. 9, p. 27
- Adjournment to Wednesday, May 21, 1947, H. J. R. 10, pp. 34, 37
- Adjournment to May 22, 1947, H. J. R. 12, pp. 42, 43
- Expressing appreciation of Dr. John M. Gallalee, S. J. R. 6, pp. 53-4, 58
- Expressing appreciation to Alabama Educational Association and Alabama Congress of Parents and Teachers for buffet supper, H. J. R. 14, pp. 42-3, 47
- Expressing appreciation to Jefferson County Delegation for trip to Birmingham, H. J. R. 3, pp. 10-11, 13
- Expressing appreciation to Mobile Delegation for seafood supper. S. J. R. 2, pp. 14, 20
- Expressing thanks to Band of the Alabama School for the Blind for concert, H. J. R. 11, pp. 38, 55, 57, 58
- House recess until Friday, May 16, 1947, and during recess resolves itself into Committee of the Whole, H. R. 6, p. 18

RESOLUTIONS (Continued)

- Informing Governor that Legislature has perfected organization, H. J. R. 2, pp. 5-6
- Informing Senate that House is in session and ready for transaction of business, H. R. 1, p. 5
- Inviting Band of Alabama School for the Blind at Talladega to give concert to Legislature, H. J. R. 5, pp. 17-18, 33, 34
- Inviting Fleet Admiral Chester W. Nimitz to address a joint session of the Legislature, S. J. R. 4, pp. 43-44, 47-8.
- Naming House Bill. No. 1, S. J. R. 5, pp. 47, 55
- Naming joint committee to inform Governor that Legislature ready to adjourn sine die. H. J. R. 15, p. 53
- Naming Senate Bill. No. 2. S. J. R. 7, pp. 54-5, 58
- Naming Senate Bill No. 10. S. J. R. 8, pp. 55, 58
- Relating to naming Boys' Dormitory at State Teachers College of Troy, Alabama "Matthew Downer Pace Hall". H. J. R. 8, pp. 26-7, 31, 33

REVENUE

- Imposing an additional tax on retail sales of soft drinks; proceeds to Alabama Welfare Fund. H. 11, p. 14

SALES TAX

- Amend Sections 753, 755, 774, and 785 of Title 51 of the 1940 Code, which relate to the sales tax, H. 14, 35

SENATE BILLS

- S. 1, pp. 34, 40, 49-50
- S. 2, pp. 36-7, 40-1, 50-1, 54-5, 56-7, 58
- S. 9 pp. 37, 41, 51-2, 56-7
- S 10, pp. 37-8, 41, 52, 55, 56-7, 58

SENATE

- Informing that House has perfected permanent organization, H. R. 1, p. 5
- Notifying House it has perfected organization, p. 5

TAX

- Imposing an additional tax on retail sales of soft drinks; proceeds to Alabama Welfare Fund, H. 11, p. 14

JOURNAL
OF THE
House of Representatives
OF
ALABAMA
REGULAR SESSION OF 1947

HELD IN THE CITY OF MONTGOMERY, COMMENCING
TUESDAY, MAY 6, 1947



Vol. I

WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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JOURNAL
OF THE
House of Representatives
OF
ALABAMA
REGULAR SESSION OF 1947

FIRST DAY

State Capitol of Alabama
Montgomery, Tuesday, May 6, 1947

JOURNAL

of the House of Representatives of the State of Alabama, of the Session of 1947, begun and held at the Capitol in the City of Montgomery, State of Alabama, on the first Tuesday in May, 1947, being the sixth day of the month in the Year of Our Lord, One Thousand Nine Hundred and Forty-Seven, at 12 o'clock, M., on which day, the day fixed by law for the meeting of the Legislature of Alabama, was called to order by Hon. W. M. Beck, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by Dr. C. C. Daniels, Superintendent of the Methodist Church for the Montgomery District.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Lovelace | Sellers |
| Adams (Dale) | Dumas | McClendon | Shelton |
| Adams (Jefferson) | Evans | McDonald | Shirley |
| Barnett | Faulk | McGowin | Sightler |
| Beatty | Frasier | McIlwain | Snodgrass |
| Benford | Ganey | Malone | Stewart |
| Bennett | Garrett | Martin | Still |
| Black | George | Mason | Stone |
| Brannan | Gibson | Mathison | Sullivan |
| Brassell | Gillis | Meeks | Taylor (Autauga) |
| Broadwater | Givhan | Merrill | Taylor (Hale) |
| Brown | Hankins | Mitchell | Thagard |
| Buckner | Harris | Molette | Thomp- |
| Busby | Harrison | Nelson | son (Crenshaw) |
| Bush | Haynes (Franklin) | Nettles | Thompson (Pike) |
| Callahan | Haynes (Lowndes) | Norman | Tucker |
| Cobb | Head | O'Neal | Vann |
| Coburn | Hornsby | Pinkston | Wallace |
| Cole | Howell | Pinson | Ward |
| Cox | Ingalls | Pruitt | Weaver |
| Crocker | Inzer | Ramey | Whitcomb |
| Davis | Johnston | Richardson | White (Covington) |
| Denton | Kaul | Roberts | White (Perry) |
| Dobbs (Elmore) | Knight | Rogers | Wood (Bibb) |
| Dobbs (Fayette) | Larkins | Sadler | Wood (Washington) |
| Doughty | Leonard | | |

—101 .

A quorum was present.

**THE STATE OF ALABAMA
DEPARTMENT OF STATE**

CERTIFICATE OF ELECTION

I, Sibyl Pool, Secretary of State, in accordance with the provisions of Section 205, Title 17 of the Code of Alabama of 1940, do hereby certify that as shown by the returns of Election on file in this office, Jack Hankins, was elected Member of House of Representatives from Lamar County at the Special Election held in this State on Tuesday, the 29th day of April, 1947.

Witness my hand this 5th day of May, 1947.

(SEAL)

SIBYL POOL,
Secretary of State.

OATH OF OFFICE

The oath of office prescribed by the Constitution and laws of the State of Alabama was then administered by Hon. W. M. Beck, Speaker of the House to Hon. Jack Hankins, Member of the House of Representatives from Lamar County.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify you that the Senate is now in session and is ready for the transaction of business.

J. E. Speight,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Snodgrass:

H.R. 1. RESOLVED that the Clerk of the House of Representatives inform the Senate of Alabama that the House of Representatives is now in session and is ready for the transaction of public business.

On motion of Mr. Snodgrass the Rules were suspended and H.R. 1 was adopted.

By Mr. Snodgrass:

H.J.R. 2. RESOLVED by the House, the Senate concurring, that a committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of public business.

On motion of Mr. Snodgrass, the Rules were suspended and H.J.R. 2 was adopted.

And the Speaker named as committee on the part of the House: Messrs. Snodgrass, Haynes of Lowndes and Duffee.

By Mr. Snodgrass:

H.J.R. 3. WHEREAS, the legislative delegation from Jefferson County, and the Agricultural Committee of the Birmingham Chamber of Commerce, have extended a cordial invitation to the House and Senate of the State of Alabama, to the Governor, and to State Department Heads, to attend the Birmingham Fat Stock Show as their guests on Governor's Day, Thursday, May 8th, therefore,

BE IT RESOLVED by the House, the Senate concurring, that we accept said invitation and the members of the Senate and the House attend and leave for Birmingham on a special train leaving at 2:00 P.M.

On motion of Mr. Snodgrass the Rules were suspended and H.J.R. 3 was adopted.

By Mr. Wallace:

H.J.R. 4. To invite The Honorable Miguel Aleman, President of the Republic of Mexico, to address a joint session of the Legislature of Alabama.

PREAMBLE

WHEREAS The Honorable Miguel Aleman, President of the Republic of Mexico, is visiting the United States in the interest of hemispheric solidarity and as a demonstration of the cordial relations existing between his country and ours, and

WHEREAS this illustrious visitor has included a visit to the State of Alabama in his itinerary, and

WHEREAS the Legislature of Alabama desires to express its admiration for his courageous leadership of the people of our "Sister Republic," and

WHEREAS the Legislature desires an opportunity to hear a great man who occupies such a high position of trust in the Republic of Mexico

NOW, THEREFORE BE IT RESOLVED by the House of Representatives, the Senate concurring: 1) An invitation be extended the Honorable Miguel Aleman, President of the Republic of Mexico, to address, at such time as may be convenient for him, a joint session of the Legislature of Alabama, and

(2) BE IT FURTHER RESOLVED THAT a committee of three members be appointed, two from the House of Representatives named by the speaker of the House and one member named from the Senate by the presiding officer of the Senate to contact the presidential party of President Aleman and invite him to speak to a joint session of the Alabama Legislature at a time suitable to him.

On motion of Mr. Wallace the Rules were suspended and H.J.R. 4 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Wallace and Pinkston.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and return same herewith to the House:

H.J.R. 2. Relative to Committee to notify Governor that Legislature is in session and ready for the transaction of business.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Russell, and Henderson.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 3. Be it resolved by the Senate, the House concurring that a joint committee of one from the Senate, to be appointed by the President of the Senate, and two from the House, to be appointed by the Speaker of the HOUSE, to wait upon the Governor and advise him that the Legislature is now in session and ascertain if he desires to address a joint session of the Legislature. And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Mr. Lamberth.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the S.J.R. 3 set out in the above and foregoing message from the Senate, was concurred in and adopted.

And the Speaker named as committee on the part of the House: Messrs. Snodgrass and Duffee.

RECESS

On motion of Mr. Snodgrass the House recessed until 2:15 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:15 P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the HOUSE for its consideration:

By. Mr. Lamberth:

S.J.R. 4. Resolved by the Senate, the HOUSE concurring, that the Senate and House convene in Joint Session in the Hall of the House of Representatives today at 2:30 P.M. to receive a message from the Governor.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and S.J.R. 4 set out in the above foregoing message from the Senate, was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and return same herewith to the HOUSE:

H.J.R. 3. Relative to accepting invitation from Jefferson County Legislative Delegation and the Agriculture Committee of Birmingham Chamber of Commerce to attend stock show on Thursday, May 8, Governor's Day.

J. E. Speight,
Secretary.

JOINT SESSION

The hour of 2:30 o'clock having arrived, and in accordance with S.J.R. 4, the Senate and House met in the Hall of the House.

The Hon. James A. Folsom, Governor of the State of Alabama, appeared and addressed the Joint Session of the Legislature of the State of Alabama as follows:

TO THE LEGISLATURE OF ALABAMA:

In conformity with Section 123 of the Constitution, it is my pleasure to report to this body. Our Nation has emerged from a world-shaking conflict. The problems confronting this Legislature will be peacetime problems, yet, we cannot entirely dismiss from our minds that there is prevalent in the world today doubt and suspicion and misunderstandings. We are in a transition period from a wartime economy to a peacetime economy. Economic and social conditions in this post-war period definitely occasion some of the problems which confront this governmental body, and the policies and course of action which this body will adopt will definitely affect the economic and social conditions existing in our State today, and in the future.

As you meet here today, extensive work has been done in developing a Legislative program for the future development of our State.

Your interim committees have considered the needs of the State. They have arrived at agreement on many basic objectives. They have debated the issues.

It is clear that our state is determined to fill some basic needs. In studying the recommendations of your interim committees, I can see there are very few differences between us on the major needs of Alabama's 3,000,000 people. Your committees which described the urgent, even desperate, needs of our State, made recommendations with which I am in general agreement.

It is on the ways and means of achieving these objectives that we have not yet established agreement—either between committees of the Legislature, or between the Governor and the Legislature.

The budget which I am submitting to you makes certain recommendations for changes in appropriations. It was necessary to put this material in the hands of the printer before there was sufficient time to arrive at agreements on certain additional proposals. Much that I will have to say today will be proposals which are in addition to those stated in the budget.

First, I would like to review our most important objectives. These are the objectives which are recommended in your interim committee reports, and with which I am in hearty agreement.

EDUCATION

There is agreement that we must have an \$1,800 a year teacher salary. Your committee on Education refers to this as an average salary. Your committee on Finance and Taxation would make \$1,800 a minimum for any fully-trained and qualified teacher. I think we can agree that what we are driving at is an \$1,800 minimum salary for a teacher who is college trained.

We are also in agreement on a nine months' school term, the need for school buses, and a school building program.

The budgets submitted for our colleges were moderate in terms of our needs. I do not believe we can expect our colleges to carry on an effective program unless we find the means to make every dollar of those budgets available. I urgently recommend that the budgets for the University of Alabama, the Alabama Polytechnic Institute, Alabama College, our teachers colleges, and Tuskegee Institute be restored. In my budget message you will note that this is on a conditional appropriation basis. The latest estimates from the Revenue Department will assure full payment—provided the legislation recommended in this message is followed.

More young men and women are going to Alabama colleges today than ever before in our history. For instance, the present enrollment at the University is 9846, of which number approximately 60 per cent are veterans. This is approximately four times as great an enrollment as in 1944-45. At Auburn the enrollment is 6082, of which 4353 are veterans. This is approximately six times as great an enrollment as in 1944-45.

Our colleges have been confronted with the problem of expanding dormitory, instructional and recreational facilities, and of additional classrooms to accommodate thousands of returning veterans. Also, of obtaining additional instructors for the expanded enrollment. If Alabama is to maintain her institutions of higher learning in a high realm of academic excellent, comparable to other educational institutions, it will be necessary now to make additional appropriations available to our colleges to provide needed permanent improvements and expansion of facilities. We are under a moral obligation to provide these additional services for our veterans and other young people.

I recommend that free text books be provided through junior high school grades of this state.

WELFARE

Your committee which considered the welfare needs for our State recommended an old-age assistance payment of \$45.00 per month. I am in complete agreement that our aged cannot survive on less than that in these times.

The needs of the handicapped, the blind, the orphan children, and the dependent mothers must be met on a similar standard.

Today, the amount of food, clothing and shelter which a welfare check will provide our old people is less than it was five years ago.

In this day of high income our democracy must demonstrate that it continues to place a high value on human welfare and human needs. If we do not, our faith in ourselves and in our system of government will be weakened.

I am recommending \$45.00 a month for our old people who can qualify under the state-federal system of old age security. This will bring the farmer, small business man and professional man under the social security act. This great group of our citizens are today unprotected. No person knows what his financial condition will be when he reaches the age of 65. The program which I am presenting to you today will, I am confident, make it possible for us to reach this goal.

WHERE CAN WE GET THE MONEY?

While we are close to agreement on Alabama's urgent needs, we have differences about where the money is to come from. I believe the following plan of financing will meet general approval, both in the Legislature and from the people of Alabama. I want to propose for your consideration that we look to two sources of additional revenue:

First, I want to inform you on the present situation in regard to the income tax. The Legislature, sitting as a committee of the whole, requested a call for an extraordinary session during a recess of a regular session of the Legislature. I have given careful consideration to this request. However, there has arisen some question as to the legality of such a move. This question was raised in connection with possible interpretations of the recent amendment to the Constitution having to do with legislative terms and days. I have therefore requested an advisory opinion as to whether this can be done under the Constitution as amended. I anticipate that we will have an advisory opinion shortly.

It seems proper to wait until this question is settled before making a detailed recommendation to you on the proposed Income

Tax Amendment. Such recommendations, when made will complete the picture of a proposal for financing our basic objectives.

For the present, let us consider the sales tax. In 1945, the Legislature set up an interim Revenue Survey Committee. This committee conducted a thorough and unbiased study lasting over a period of more than a year. The report is an important document in the history of our government.

Here are some of the comments made by this legislative committee on collections of the sales tax:

"Information on purchase of retailers gathered from an audit of wholesale grocers disclosed a **shocking amount of sales tax evasion*****

"A large number of retailers (a) do not keep adequate books, and (b) cannot produce all of their invoices.

Revenue examiners are comparatively underpaid; the present scale is from \$150 to \$240 a month.

"Field examiners do not confine themselves to the auditing function, but also make assessments and receive the taxes. In most instances, therefore, there is no central review of the results of audits and central assessment of delinquent taxes."

"The Department (of Revenue) has never made a serious and prolonged effort to inform small retailers of their record keeping duties and to set forth minimum bookkeeping requirements."

The report states that it is probably not an understatement that the State has been collecting only 60c on the \$1.00 for the sales taxes due. This means that the people of Alabama are not receiving for their schools and other government services the money they are entitled to.

In short, the honest merchants and retailers are turning over to the schools and other services the money the people pay in. The others are not.

The present administration has made changes which will correct some of these evils. The increased return from the sales tax which has resulted has meant hundreds of thousands of dollars already. We have set up an honest and business-like method of collecting this tax. Some of these changes cannot be brought about by administrative orders within the Department of Revenue. They will require legislation.

How can we increase the return from the sales tax? The interim committee of the 1945 Legislature gives the answer. Here are its most important proposals.

First, repeal all exemptions.

Here is what the committee has to say about the present exemptions:

"The exemptions found in the Alabama law are indefensible from any point of view. They are understandable, however, from the point of view of practical policies as reflected in the log-rolling tactics of pressure groups."

This is not an idea that I thought up. This is the considered

judgment of a committee of the Legislature. In short, the committee expresses the opinion that we should not have had these exemptions in the first place.

The Committee report points out that repealing the exemptions will accomplish two purposes. It will make it possible to get into the state treasury a big part of the 40c on every dollar we are now losing through inefficient collections. At the same time it will make the job of the retailer simpler. All he will have to do at the end of the month is to turn in 2% on his total sales.

Your present interim Committee on Finance and Taxation made some of the same basic recommendations, including the partial eliminations of exemptions. I wish, therefore, to recommend to you that you consider the original recommendations of the 1945 Revenue Survey Committee on the sales tax, and adopt all of the following recommendations of the committee:

1. Base the tax on total gross receipts by:
 - a. Repealing all exemptions. Insert an exemption for casual sales. (These are sales by a farmer to a consumer or a person who sells something to a neighbor.)
 - b. Strike the last sentences in the definitions of wholesale and retail sales.
2. Tax retail sales of automobile dealers at the same rate that applies to all other retail sales.
3. Repeal the provisions for tokens. Set up a bracket system for the guidance of the retailer. At the same time it should be made clear that the retailer's responsibility is to collect 2 per cent on his gross sales.

For a time it was thought that an information tax of 1/20th of one per cent would be needed on wholesalers. The thought was that this would be necessary to get effective recordkeeping systems. However, I am advised by the Department of Revenue that if exemptions are completely eliminated, this will **not** be necessary. It **will** be necessary, however, if any exemptions whatever are allowed.

How much money will these changes bring in? That is a question on which there is bound to be debate. In the first place, we have the considered judgment of the 1945 Revenue Survey Committee that not more than 60 per cent is being collected on items now taxed. Tax experts disagree on how near we can come to 100 per cent.

In addition to the increased collection of money the people are already paying in, we have the return on taxes from the items now exempted. For the last six months of 1946, those reporting to the Sales Tax Division of the Department of Revenue turned in these approximate figures:

| | |
|--------------------|------------------------------|
| \$1,312,000,000.00 | total sales |
| 410,000,000.00 | Wholesale sales |
| 12,063,100.00 | sales to government agencies |

620,000,000.00 sale on which tax was paid
300,000,000.00 exempted sales

Therefore, even on the basis of what retailers are now reporting, sales tax collections would have been increased 50%, or about \$10,000,000 for last year. At the present rate of collections this would add to our revenue about \$12,500,000 over present income.

In addition to this increase, there is an equal or larger increase to be expected if we have an effective collection system. Changes already made in administration, plus those recommended by the Revenue Survey Committee, would make more effective collection possible.

I am prepared to estimate that with these changes, your State government can expect to collect between \$40,000,000 and \$45,000,000 a year from the sales tax. Present collections are running close to a rate of \$25,000,000.00 per year.

You will note that the budget I have submitted to you does not anticipate more than \$31,000,000.00 to the State from this source. This is based on the effects of the changes recommended by your interim committee on Finance and Taxation.

Are these recommended changes reasonable? During the campaign I stated that taxes would be collected on a fair and equitable basis. These changes are aimed primarily at the man who is not turning into the people's treasury the money he collects from them. As for the exemptions, the Legislature's Revenue Survey Committee makes it clear that we have these exemptions because of the log-rolling tactics of selfish pressure groups.

HOW WILL THIS ADDITIONAL MONEY BE USED?

In the budget I have submitted to you, there are proposals for the use of the sales tax up to a total of \$31,000,000.00 from the State's share. You will notice that most of the additional over present collections are in the form of conditional appropriations to restore the minimum budgets submitted by our colleges and some of our smaller educational institutions.

Beyond the \$31,000,000 of the state's share of the sales tax, I recommend the following:

First, that all of the money you appropriate, both conditional and otherwise, be paid in full.

Second, that an appropriation be made for public welfare which would make possible a balanced program and pay up to the goal of \$45.00 a month for old-age security.

There are those who state with confidence that the changes recommended will result in collections running as high as \$45,000,000. How much we actually collect will be determined in part by the general economic situation next year. If we have full employment, and the production of which America is capable, we will collect \$45,000,000 in Alabama.

These changes—together with changes which will be recommended in the present Income Tax Amendment—will make it possible for us to reach all our basic objectives. Of course, it will take a little time to determine exactly what this sales tax program will produce.

- I would like to emphasize that this program will succeed only if we eliminate all present exemptions. Any tendency on our part to permit any exemption will break down the structure recommended in the Legislature's Revenue Survey Committee.

TAXES ON CORPORATIONS

From all the activity of corporations in political matters, you would think they pay the bills for keeping up our State and paying for all government services. Actually the total amount of taxes collected from monopoly corporations is comparatively small. This has always been the case. They are corporate citizens by the authority of the people of Alabama and they should maintain a good corporate citizenship by being willing to carry their fair burden of the cost of services of this State, which they enjoy.

The Revenue Survey Committee of the 1945 Legislature points out, however, that our present corporation tax structure is nearly impossible to administer. In addition, it is costly for the corporations themselves.

The Revenue Survey Committee recommended that our corporation tax structure be completely over-hauled. There is evidence of wholesale tax evasion in the payment of present taxes.

I am in agreement with the basic recommendations for consolidating and simplifying all corporation taxes and to this end, therefore, I recommend that the revenue laws be revised.

In this connection, I would like to call your attention to the specific recommendations of the Revenue Survey Committee report of the 1945 Legislature, pages 68 and 69, and page 102.

ROADS AND HIGHWAYS

Your committee on Highways has recommended that the farm-to-market program be speeded up. From the present revenue, it will be some 10 to 15 years before the farm-to-market program can be completed in Alabama.

To speed up this program, your committee has recommended a one cent additional tax on gasoline. As an alternative to the one-cent gasoline tax, I recommend that we increase the first and second highway bond issues to their original level of fifty million dollars. If one or both of these bond issues are not approved, I wholeheartedly recommend the one cent gasoline tax.

Therefore, I recommend that we raise the level of these bond issues back to \$50,000,000. This would give use approximately 25

Million Dollars of new money, the major part of which would be allocated to the counties for farm-to-market roads, bus and mail carrier routes, and the remainder to be used on various state roads already projected over the State. This will put us in position to take advantage of all Federal funds that may be made available.

This increase in bonds can be accomplished without any additional taxation. These new bonds can be soundly financed from the tag tax already levied for the old bonds. We have always recognized that it is sound to build highways, and pay for the investment from the industrial development that results and the taxes paid in for the use of the road. We know that as our State has developed the income from the taxes levied for previous bond issues has grown beyond expectations. I am confident that Alabama has not stopped developing in this year of 1947.

I cannot recommend too strongly the necessity of enacting legislation to provide the sixty-seven counties of this State uniform highway units to function under the local governing bodies. At present the counties are divided into four or more districts. One highway unit for each county is more desirable than the present system of county districts.

CONSERVATION

The Interim Committee on Conservation made recommendations as to the improvement of the present state parks and the acquirement of additional park sites, which would be most advantageous to the State. But I am recommending to the Legislature that an appropriation of \$500,000.00 be made for expenses incident to improvement and maintenance of division of state parks, conditional upon the condition of the treasury and the approval of the Governor.

Alabama has only twenty miles of accessible beaches by comparison with Florida's hundreds of miles. Yet our 20 miles of beach are some of the most beautiful on the gulf. But we have neglected to develop it.

A previous investment in Gulf State Park helped to attract commercial development of other sections. We still have a long way to go, and a portion of the recommended sum for parks will make possible further development on the Coast. Our other State parks have also helped to stimulate commercial development.

With all our natural beauty spots, Alabama does not have a single developed recreational location today where a convention can be held. Our various organizations are forced each year to go to Mississippi or Florida. This is proof enough that we must continue to work at the business of developing the recreation business, both for our own use—and as an attraction to tourists.

I am recommending that severance tax laws be clarified so that the revenue from this source may be equitably collected. Our pre-

dominant natural asset is our forests and forest products. This tax is levied for the purpose of preventing forest fires and providing the best methods of forestry. It will be the policy of this administration to take the lead among the several states in protection of this great asset.

It is thought that our present game and fish laws are adequate for the protection of our wild life, if properly enforced.

CORRECTIONS AND INSTITUTIONS

When this Administration took over the prisons and the prison property of Alabama, they found the prisons generally in a very bad condition. Repairs were needed, the farms run down and depleted; very little preparation had been made for 1947 crops. Fencing was in bad condition, and no drainage work apparently had been done. Your committee confirmed this in a detailed report. This condition probably arose because of the high cost and scarcity of materials for repairs during the war years, as it appears that more than \$300,000 of the appropriation to the prison fund was returned to the state general fund at the end of the last fiscal year.

The prison population is increasing rapidly and the facilities for the care of the prisoners are deteriorating daily. I, therefore, recommend that adequate appropriation be made for necessary repairs of the prisons of this State to the end that the health and welfare of these unfortunate inmates may be protected.

THE ABC SYSTEM

Since the ABC Act was passed in 1937, each administration has come in for its share of criticism. Under the ABC Board as now constituted, the buying, selling and distribution of all beverages under the control of the Board will be conducted as a business organization should. There will be no special favors or preferences, and the spirit as well as the letter of the law will be followed, with equal fairness and justice to all alike.

During my campaign for Governor I traveled widely over our great State. Frequently my attention was called to the amount of alcoholic beverages in Alabama that had out-of-state stamps on it. This meant that Alabama was losing the revenue to other states. In order to recapture that revenue for our State, the Board has made all types of alcoholic beverages available. Since that has been done, the ABC Enforcement officer has reported to me that the enforcement problem existing in this State due to out-of-state whiskey being brought in is practically zero.

As a result the net profits of the Board for March, for which complete figures are available, were at the rate of \$17,000,000 annually. It is my belief that this will not go below \$16,000,000 a

year. I have estimated this amount in the budget submitted to you.

DEPARTMENT OF PUBLIC SAFETY

With the release of war-time restrictions on travel, there has been a return to high speed driving, although automobiles generally are in bad condition. Traffic accidents have increased as a result.

To meet these conditions and protect life and property, every effort is being made to improve the efficiency of our State Highway Patrol. You have undoubtedly noticed many of these improvements.

There is still a need for additional highway patrolmen. I would like to recommend that provision be made for 56 additional men and the necessary equipment. This will make possible the assignment of two patrolmen to every county in the State. This step will pay increasing dividends in greater safety for life and property, and will in turn mean a lower insurance rate than we would pay otherwise.

The entire cost of the Department of Public Safety can be met if a \$1.00 per year driver's license is adopted—which is the rate in practically all states. I recommend that this be done.

STATE DOCKS

The present size of the state docks is entirely inadequate to accommodate the traffic of the Port of Mobile. An expansion program for these docks is now underway, and we are now in the process of acquiring the land for continuing development. The previous administration recommended a bond issue for this purpose. However, due to certain legal technicalities, interest rates at which the bonds could be sold were excessive. Suggested legislation to correct this situation has been prepared, and its constitutionality is being checked. I recommend that legislative action be taken to make possible the sale of these bonds at a low interest rate in order that we can move forward with speed. Patterns of trade between the United States and of other countries are being developed today and it is highly important that Alabama's great harbor be prepared.

STATE PLANNING COMMISSION

The small amount of money invested in the State Planning Commission has paid big dividends. The Commission has, by direct action, helped a number of communities to establish needed industries. Over a period of time it is likely that the industries thus developed will repay in taxes the entire cost.

However, today Alabama has no advertising program whatever. Florida is spending millions to advertise the state's products, and its tourist attractions. The State of Iowa has convinced Alabama housewives that her farmers can produce a better potato than we can. Alabama should inaugurate a program to advertise her natural resources.

I recommend that the Legislature advise with the representative newspaper men of the State, and with others concerned, and build a modern advertising and information program for the development of our resources.

PUBLIC HEALTH

No responsibility of government is more closely connected with the happiness and prosperity of our citizens than our public health program.

The program of the State Health Department to arrest the spread of tuberculosis, cancer, venereal and other communicable diseases fully justifies the increased appropriations recommended by your Committee.

Our most urgent need at present is for additional hospitals. We have had plans for a hospital program, but these were contingent upon the passage of the Hill-Burton Hospital Construction Bill.

I hope that we will have sufficient amount in the Building Commission funds to assist the counties and localities in constructing hospitals—and that aid from the federal government will be forthcoming.

UNEMPLOYMENT COMPENSATION

The unemployment compensation program has experienced ten years of operation and development. During this period Alabama's law has been subjected to legislative change and correction. This is as it should be with a program that is young. Our experience indicates certain other changes that it is now desirable to make. At this time the program covers only workers in establishments with eight or more employees. The program can be strengthened by amending the present act to cover employees in establishments employing less than eight. Also, State, counties and Municipalities should have the privilege of electing to come within the coverage of the law. There is contradiction in government sponsoring a program for the employees of private business and excluding its own employees. There are certain recommendations which have been made to your Interim Committee for amending our present law to provide a more efficient and simple administration of the unemployment compensation program, and which they have studied and reported favorably. In these I concur.

EMPLOYMENT SERVICE

On November 16, 1946, the Employment Service was returned to the State after five years of federal administration. The program will continue to be financed by Federal Funds. Our Employment Service will be coordinated more efficiently with the Unemployment Compensation agency and will produce a better service.

Your Employment Service has recently opened on the major college campuses a Graduate Placement Office. Alabama is the first state in the nation to offer such a public service. The immediate effect should be that Alabama will utilize the talent of its college graduates within the state to develop the economic and human resources of this great State. Previously our graduates have gone to other States where opportunity for employment was more plentiful.

CASH SICKNESS BENEFITS

There is no provision in our present Unemployment Compensation law to pay benefits to a worker who is unemployed by reason of disability or illness. Sick or disabled workers suffer as great an economic need by reason of unemployment due to illness as by lack of opportunity of employment. A simple workable plan can be devised for such cases upon the framework of our present Unemployment Compensation law. By diverting the future payments of the employee tax from the Unemployment Compensation fund, a separate fund can be established for the payment of benefits to employees for unemployment due to illness or disability. This program can be made more effective immediately by withdrawing from the Unemployment Compensation Fund the amount of the employee taxes paid in the past three years. An enabling act of Congress makes this possible. Alabama is one of two remaining states which still has the employee tax. Two other states—California and Rhode Island—which formerly had an employee tax have passed sickness programs and are now paying benefits.

I want to emphasize that this progressive program would not require any new taxes whatever, either for payments or administration. It could begin immediately. Alabama's present unemployment trust fund is ample protection against a period of unemployment.

WORKMEN'S COMPENSATION

Alabama has outgrown its workmen's compensation laws. Present benefits are inadequate. Many employers recognize them to be inadequate. Your Interim Committee on Judiciary recognized this fact. I heartily agree with the recommendations of the Committee in increasing weekly benefits payable under the Workmen's

Compensation laws, and the increase in medical and hospital benefits from the present maximum of \$200 to a maximum of \$500.

I also agree with your Committee's recommendation on the need for covering occupational diseases. Workers in industry need such protection, and industry needs for its liability in such cases to be clearly defined.

The large number of physically-handicapped veterans makes it even more urgent today that Alabama adopt a "Second injury" clause to its Workmen's Compensation Act. This clause defines the liability of employers and encourages the employment of the physical handicapped.

In 1943, the Legislature passed an act which had the intent and purpose of setting up the machinery for State, County, and Municipal bodies to share in the expense of group life and group hospitalization for their employees.

The Supreme Court has advised me that this act is constitutional. However, it further advises that in its present form the act is inoperative. If the intent of the Legislature is to be carried out, it will be necessary to revise this act.

CHILD LABOR

I heartily endorse the recommendations made by your Interim Committee for the amendment of our Child Labor laws. Our State is under a moral obligation to its youth to provide adequate and sufficient laws to prevent it from exploitation.

MINING AND INDUSTRIAL SAFETY

Recently there has been nation-wide concern over several tragic disasters in coal mines. This is a forceful reminder that we should examine our coal mine laws in Alabama. I recommend that you consider the enactment of a new code to promote and encourage mine safety.

We do not have adequate inspection of coal mines at present because we have only a small force of mine inspectors. There are over 700 mines in Alabama—yet we have only eight inspectors. This is almost 100 mines for each inspector. In addition, we cannot get efficient coal mine inspectors at the present rate of pay.

Our mines have a higher-than-average cost of production because of the kind of veins which are located in our State. For this reason we should make every effort to provide the greatest possible amount of service so that the industry will not be burdened with higher costs.

Industrial accidents in Alabama are costing our State more than \$5,000,000 annually. This does not include medical cost, interruption of work, damage to equipment, and court costs. Nor does it include the human sorrow and suffering involved.

The inspection of industrial plants and places of public assembly has been neglected in Alabama. For the past several years there have been only three industrial safety inspectors. If every plant and facility required by law to be inspected were visited by an inspector, it would take more than two years to get around. As a makeshift, the inspectors have been visiting only those plants which do not have a safety director. Our present laws make sense, but only if we provide modern inspection service as an aid to both management and labor. I recommend that this be done.

DEPARTMENT OF LABOR

If you look back over the years, you will see that the State of Alabama has done little of a positive, constructive nature in the field of labor relations. You will recall that for many years the agency most concerned with labor relations was the National Guard. That was a period when Alabama had not accepted collective bargaining. It is clear in looking back that neither industry or labor benefitted from such a state of affairs.

Today, your State government still has no positive, constructive arm in the field of labor. There are many who have been concerned over the fact that chief responsibility in this field has been turned over to the Federal government. That is due to the fact that states like ours failed to adopt effective programs.

I wish to recommend to you the need of a more effective organization of our Department of Labor. I recommend that the Department have the following responsibilities in intrastate industries:

1. Certification of bargaining agencies.
2. A conciliation service.
3. The machinery for arbitration.

America's great need today is all-out production. This can be achieved only on a basis of mutual good will and understanding between labor and management. We have some progressive industrialists and labor leaders in this State, and I recommend that they be called in and consulted with in carrying out the above recommendations.

INSURANCE

The Legislature established in 1923 the State Insurance Fund. The State has been carrying a great portion of its insurance. Our experience in this field has been good. At this time I recommend the extension of this insurance fund to include all instances in which the state requires insurance, bonds, or Workmen's Compensation. It should provide the opportunity for counties and municipalities to use this fund. I am in agreement with the concept that all insurance and bonds should be written by the State. The resultant savings to Alabama will run into thousands of dollars.

AGRICULTURE

Alabama is making rapid strides in the field of agriculture, and particularly in the field of livestock production and truck farming. It is interesting to note that in the various fat stock shows over Alabama during the last two months the price of prize fat calves have broken that record three times. This provides an incentive for the people of this State to go into the production of livestock. I cannot emphasize too strongly the need for the regional and state-wide livestock show places that have been recommended. These show places will create an interest in livestock equal to any state in the Union. It is believed that we can double our agricultural income on livestock alone by merely using available idle land. It will be a policy of this administration to help promote the livestock industry and marketing industry as it has never before been done. At no county or regional livestock show which I have attended recently were there adequate facilities to care for the crowds attending.

THE NATIONAL GUARD

The Military Department has made rapid strides in the organization of the various ground units of the new National Guard. Alabama was the second State in the Union to have all of its ground units federally recognized by the National Guard of the United States. This excellent record is due to the ground work laid by the previous administration, and the aggressive leadership of the present personnel of the Adjutant General's Department. The ultimate goal is a force of 15,000 men which includes the air, ground, and service forces units.

A strong National Guard is the backbone of the defense of the Nation. I have recommended that this democratic, people's military organization be strengthened by a conditional appropriation of \$200,000.00 in order that we may properly administer a 15,000-man National Guard.

VETERANS' AFFAIRS

One of the first obligations of any State is the assistance it owes to its war veterans. It is one of the essential State services and is so recognized by every State in the Nation.

The 1945 Legislature created a State Department of Veterans' Affairs to help our veterans readjust themselves back into civilian life and to help them secure their just benefits from all sources. Many of you gentlemen had a part in creating that splendid agency. I am prepared to say now that it has been worth a hundred times its cost. In the first 17 months of its operation it has rendered actual and valuable services in more than 418,000 in-

stances to veterans, their widows and orphans. Many—in fact, the majority—of these services would not and could not have been given by any other agency, State, or Federal.

From the sole efforts of the Department it has brought back into the pockets of Alabama citizens more than a dollar for every dime spent by it. It has provided the veteran with an advisor, a counsellor, a sympathetic friend in every Court House in the State. It has served the veterans as a personal attorney in thousands of cases, securing for him and his family any benefits which would otherwise have been denied them. It has established a pattern of statewide service that has been copied by many other states; and has fully justified its continuation and an adequate appropriation to support it.

Alabama must pay her share of the cost of the National Veterans' Program regardless of the amount. It would be shortsighted and false economy to neglect an opportunity to secure for Alabama veterans their full share of that program. We must continue a full county by county coverage by the Department of Veterans' Affairs.

I am therefore recommending in the general appropriation bill the sum of \$37,500.00 annually for this Department which I believe to be the minimum, at which this Department can continue to function on its present efficient basis.

THE DEMOCRATIC PROCESSES

Our Constitution of 1901 has been amended and re-amended and has become in my judgment and in the judgment of many constitutional lawyers of the State outmoded and cumbersome. The Constitution itself provides a means whereby the people can re-examine it. That means is found in a constitutional convention. I want to again call your attention to the fact that this is not an issue on which you and I have the final decision. The machinery provides that the people themselves be given an opportunity to vote on whether they want a constitutional convention. Therefore, I recommend that at this session the necessary legislation be adopted to submit the question to the voters of the State. I do not think we can deny the people this opportunity.

Meanwhile, there is one step which can be taken immediately by legislative action to strengthen our democracy. I recommend the immediate elimination of the absentee ballot. Efforts have been made by the Legislature to correct the evils of the absentee ballot. These have not proved successful. The absentee ballot remains a festering sore in our democratic process. The way it is handled is weakening the faith of the people in democracy at a time when we should be doing everything in our power to make democracy stronger.

There is one other change which could be made by legislative

act which would bring about more participation in government. That would be to set the date for the first primary in August, and the second primary in September. This would be much more convenient for our farm families.

At present too long a time elapses between the time a campaign begins and the general election in November. This extended campaign period demoralizes the processes of government for most of a year. I recommend that you consider changing the date of the primaries immediately by legislative act.

REAPPORTIONMENT AND POLL TAX

I recommend the passage of measures to abolish the poll tax and to provide reapportionment of our representation in the Legislature. The call of a constitutional convention would be an opportunity to debate the inequities of the poll tax and the failure of reapportionment.

CONCLUSION

I want to express my appreciation for the assistance which you have given me. I am confident that with the progress we have made in agreeing on basic objectives, we can soon arrive at a progressive program of action.

With the progress already made by your interim committees, I hope that you will be able to complete your business in record time. I know that each of you is making a sacrifice each day the Legislature is in session. It is a sacrifice which will be measured in terms of the progress you can make possible in a greater development of our natural resources and a greater opportunity for all Alabama's people.

May God grant all of us the vision, the patience, and the understanding to lead our State forward in a new era of progress.

The purpose of the joint session having been accomplished, the Senate repaired to the Senate Chamber.

The Speaker of the House then called the House to order.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wallace:

H. 1. To levy a tax of two per cent upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, providing for the manner of collection and the use of the proceeds thereof.

Ways and Means.

By Mr. Wallace:

H. 2. To provide for the establishment, maintenance, and operation of regional trade schools.

Ways and Means.

By Mr. Wallace:

H. 3. To authorize the Clerk of the House of Representatives to appoint an Electrical Roll Call Operator and Electrician.

Ways and Means.

By Mr. Wood (Bibb):

H. 4. Amending Section 2, Title 36 of the 1940 Code, which relates to penalties for operation of motor vehicles upon the highways by persons who are habitual users of narcotic drugs or who are intoxicated.

Judiciary.

By Messrs. McGowin, Johnston, Larkins, Buckner, Brown, Gibson, Wallace, Shelton, and Busby:

H. 5. To repeal the Act entitled "An Act, To make an additional appropriation to the Minimum Program Fund of \$500,000.00 for each of the fiscal years ending September 30, 1946, and September 30, 1947," approved June 12, 1945.

Ways and Means.

By Messrs. McGowin, Johnston, Larkins, Buckner, Brown, Gibson, Wallace, Shelton, and Busby:

H. 6. To provide for the use of any surplus which remains in the State Treasury to the credit of Alabama Special Educational Trust Fund at the close of the fiscal year ending September 30, 1947, after all appropriations have been paid in full.

Ways and Means.

By Messrs. McGowin, Johnston, Larkins, Wallace, Buckner, Brown, Gibson, Shelton, and Busby:

H. 7. To repeal the Act entitled "An Act, To provide for the use, during the ensuing fiscal year, of any surplus which remains in the State treasury to the credit of the Alabama Special Educational Trust Fund at the close of each fiscal year after all appropriations have been paid in full," approved June 23, 1945.

Ways and Means.

By Messrs. McGowin, Johnston, Larkins, Wallace, Buckner, Brown, Gibson, Shelton, and Busby:

H. 8. To repeal the Act entitled "An Act, To provide for the transfer of any surplus over and above \$1,750,000.00 in the State Treasury to the credit of the General Fund, after the payment of all appropriations now or hereafter made payable from said fund, for each of the fiscal years ending September 30, 1946, and Sep-

tember 30, 1947, to the Minimum Program Fund for expenditure during the fiscal year next succeeding the fiscal year in which said surplus accrues, in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund.", approved June 12, 1945.

Ways and Means.

By Messrs. McGowin, Johnston, Larkins, Wallace, Buckner, Brown, Gibson, Shelton, and Busby:

H. 9. To repeal Sections 2 and 4 of the Act entitled "An Act, To make provision for the establishment, expansion, and maintenance of a forest research and educational program for the State of Alabama; to make provision for a 4-year degree course in forestry; to make provision for a ranger school for the training of men for the State's forest fire control program; to make provision for better and more adequate training in forestry of agricultural students; to provide funds for the initial purchase of forestry equipment; to provide funds for construction of laboratory facilities; to provide funds for construction of a forestry building; to provide for the administration and direction of the work; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to authorize and empower county boards of revenue, county commissioners, or other governing bodies, individuals, firms, organizations, corporations, companies, or municipalities to make donations and appropriations for the purchase of land and equipment for the establishment of experimental forestry units in the several forest regions of the State; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations." approved July 9, 1945.

Conservation.

By Messrs. McGowin, Johnston, Larkins, Wallace, Buckner, Brown, Gibson, Shelton, and Busby:

H. 10. To provide for the transfer of any surplus over and above \$750,000.00 in the State Treasury to the credit of the General Fund after the payment of all appropriations now or hereafter made payable from said funds for the fiscal year ending September 30, 1947, to the Alabama State Building Commission to be used as a part of the Building Commission Fund.

Ways and Means.

By Messrs. McGowin, Wallace, Johnston, Larkins, Buckner, Brown, Gibson, Shelton, and Busby:

H. 11. To repeal Section 4 of the Act entitled "An Act, To make provision for the creation and maintenance of a Sub-Agricultural Experiment Station in the soil types of the State of Alabama as represented in the area generally known as the Upper Coastal Plains Area, for the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops; the adapta-

tion and improvement of varieties of crops; the establishment and improvement of pastures; the production of feed and forage crops; the economic production and management of livestock; the production of fruits, vegetables, nuts, and citrus fruit; the control of insect pests and plant and livestock diseases; and other similar important agricultural and economic problems having for their object the development of a more permanent, profitable, and diversified agriculture; to designate the counties of the State constituting the Upper Coastal Plains Area; to provide for the location of said Sub-Agricultural Experiment Station; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue, county commissioners, or other governing bodies having similar jurisdiction in the several counties composing the Upper Coastal Plains Area, individuals, firms, organizations, corporations, companies, or municipalities to make donations and appropriations for the purchase of lands and equipment for said Sub-Agricultural Experiment Station; and to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.", approved June 30, 1943.

Agriculture.

By Messrs. McGowin, Wallace, Johnston, Larkins, Buckner, Brown, Gibson, Shelton, and Busby:

H. 12. To amend Section 30 of Title 41 of the 1940 Code of Alabama which relates to appropriation for rental of office spaces.

State Administration.

By Messrs. Shelton, Wallace, Busby, McGowin, Larkins, Buckner, Brown and Gibson:

H. 13 To amend Section 240 of Title 13 of the 1940 Code of Alabama which relates to transportation expenses, offices and supplies of circuit and deputy solicitors.

Ways and Means.

By Messrs. McGowin, Wallace, Johnston, Larkins, Buckner, Brown, Gibson, Shelton and Busby:

H. 14. To repeal Section 3 of the Act entitled "An Act, To provide for the establishment and maintenance of a Central Artificial Insemination Unit to be located at the Main Alabama Agricultural Experiment Station and to be under the supervision of the Director of the Agricultural Experiment Station for the purpose of increasing the milk and butter fat-producing capabilities of Alabama Dairy cows, developing improved methods of handling semen and delivering it to cooperating groups of Alabama dairy farmers, studying improvement in Alabama dairy cows resulting from artificial insemination, and training technicians to be competent to breed animals artificially; to make appropriations to the

Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; and to provide for the administration and direction of this work," approved June 23, 1945.

Agriculture.

By Messrs. McGowin, Johnston, Larkins, Buckner, Gibson, Brown, Wallace, Shelton and Busby:

H. 15. To repeal Section 4 of the Act entitled "An act, To make provision for the creation and maintenance of a Sub-Agricultural Experiment Station in the Soil types of the State of Alabama as represented in the area generally known as the Southwest part of Lower Coastal Plain area, for the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops; the adaption and improvement of varieties of crops; the establishment and improvement of pastures; the production of food and forage crops; the economic production and management of livestock; the production of fruits, vegetables, nuts and citrus fruit; the establishment, management, and maintenance of experimental forest areas, including experiments on utilization of forest products; the control of insect pests and plant and livestock diseases; and other similar important agricultural and economic problems having for their object the development of a more permanent, profitable, and diversified agriculture; to designate the counties of the State constituting the Southwest part of Lower Coastal Plain area; to provide for the location of said Sub-Agricultural Experiment Station; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue, county commissioners, or other governing bodies having similar jurisdiction in the several counties composing the Southwest part of Lower Coastal Plain area, individuals, firms, organizations, corporations, companies, or municipalities to make donations and appropriations for the purchase of lands and equipment for said Sub-Agricultural Experiment Station; and to authorize Board of Trustees of the Alabama Polytechnic Insittute to accept such donations.", approved July 7, 1945.

Agriculture.

By Mr. Merrill:

H. 16. To Amend Section 36 of Title 34 of the Code of Alabama of 1940.

Judiciary.

By Messrs. Bennett & Howell (with notice and proof):

H. 17. To authorize the Board of Revenue of Calhoun County, Alabama to purchase radios, machine guns, ammunition, and any other equipment that the said Board of Revenue may deem nec-

essary for proper law enforcement for the use of the Sheriff of Calhoun County.

Local Legislation.

Notice and Proof H. 17:

NOTICE

NOTICE is hereby given on the intention to apply to the present session of the Legislature the next time that it convenes in regular session, for the passage of an act substantially as follows:

A BILL TO BE ENTITLED AN ACT

To authorize the Board of Revenue of Calhoun County, Alabama to purchase radios, machine guns, ammunition, and any other equipment that the said Board of Revenue may deem necessary for proper law enforcement for the use of the Sheriff of Calhoun County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Board of Revenue of Calhoun County or other governing body that may be hereinafter created for said county is hereby authorized and empowered to purchase radios and pay for their installation, machine guns, ammunition and any other equipment that the said Board of Revenue may deem necessary for proper law enforcement in Calhoun County for use by the Sheriff of Calhoun County and his deputies.

Section 2. That in the event the Sheriff of Calhoun County shall have prior to the effective date of this act purchased any such equipment the Board of Revenue is authorized and empowered to purchase said equipment from the Sheriff at its reasonable market value.

Section 3. This act shall become effective upon its passage and approval by the government or its otherwise becoming a law.

Jan. 28; Feb. 4-11-18

THE ANNISTON STAR Anniston, Ala.

Personally appeared before me, Ralph W. Callahan, who, being duly sworn, makes oath that he is Business Manager of The Anniston Star, a daily newspaper published in Anniston, Ala., and that the attached notice was published on the following dates: January 28; February 4-11-18, 1947.

RALPH W. CALLAHAN

Sworn to and subscribed before me this 5th day of May, 1947,

CLARA B. WRIGHT, Notary Public.

(SEAL)

By Mr. Evans:

H. 18. To amend Section 179, of Title 13, of the Code of Alabama of 1940.

Judiciary.

By Messrs. Larkins, Buckner, Johnston, Gibson, Shelton, Brown and McGowin:

H. 19. To amend Section 6 of the Act entitled "An Act, To regulate the business of lending money, and to require a license

for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment.", approved June 23, 1945.

Business and Labor.

By Messrs. Larkins, Gibson, Johnston, Brown, Shelton, Buckner, and McGowin:

H. 20. To amend Section 4 of the Act entitled "An Act, To create a Bureau of Rates of the Department of Commerce; to regulate the making and applying of rates for fire, inland marine, casualty, and any lines incidental to these various classes, and the approval or disapproval of rates or rating systems, the intent being to include the rate making of all rates, except life and health and accident, of all companies authorized to do business in the State of Alabama; and provide for the officers and employees thereof and their compensation, powers, functions, and duties; to entrust the administration of this Act to said department; and to make an appropriation for the administration of this Act.", approved June 16, 1945.

Business and Labor.

By Mr. Evans (with notice and proof):

H. 21. To provide further for the registration and payment of claims against the fine and forfeiture fund of Choctaw County which were outstanding on June 9, 1945.

Local Legislation.

Notice and Proof H. 21:

NOTICE

NOTICE is hereby given that the following bill will be introduced in the next session of the Legislature affecting Choctaw County, Alabama.

A BILL TO BE ENTITLED AN ACT

To provide further for the registration and payment of claims against the Fine and Forfeiture fund of Choctaw County, Alabama, which were outstanding on June 9, 1945, that were not registered as legal claims against the general fund of Choctaw County, as provided by local Act 98, approved June 9, 1945, are revived and are declared to be legal claims against the gen-

eral fund of Choctaw County, provided they are registered with the county treasurer within ninety (90) days after the passage of this Act. Claims shall be paid according to the order of registration. Claims not registered within the time herein specified shall be void.

STATE OF ALABAMA, CHOCTAW COUNTY.

I, Matt L. Blount, Publisher of the Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the notice as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for four consecutive weeks commencing with the issue date March 20, 1947, and ending with the issue dated April 10, 1947. I further certify that I have the right and authority to make this affidavit.

MATT L. BLOUNT.

Sworn to and subscribed before me this, the 3rd day of May, 1947.

ZACK ROGERS, JR.

By Mr. Evans (with notice and proof):

H. 22. To amend Section 2 of Act 156, Local Acts, 1927, entitled, "To provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office," approved July 15, 1927, by changing the annual salary of the County Superintendent of Education of Choctaw County from twenty-five hundred dollars to thirty-six hundred dollars.

Local Legislation.

Notice and Proof H. 22:

NOTICE

NOTICE is hereby given that the following bill will be introduced in the next session of the Legislature affecting Choctaw County, Alabama.

A BILL TO BE ENTITLED AN ACT

To Amend Section 2 of Act 156, Local Acts, 1927, entitled, "To provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office," approved on July 15, 1927, by changing the annual salary of the County Superintendent of Education of Choctaw County.

STATE OF ALABAMA, CHOCTAW COUNTY.

I, Matt L. Blount, Publisher of the Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the Notice as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for four consecutive weeks commencing with the issue date March 20, 1947,

and ending with the issue dated April 10, 1947. I further certify that I have the right and authority to make this affidavit.

MATT L. BLOUNT.

Sworn to and subscribed before me this, the 3rd day of May, 1947.

ZACK ROGERS, JR.

By Mr. Coburn:

H. 23. To provide for a refund of a portion of the State tax paid on gasoline when the gasoline is used in propelling or operating tractors used exclusively for agricultural purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor.

Ways and Means.

By Mr. Roberts:

H. 24. To amend Section 251 of Title 29 of the 1940 Code of Alabama, which relates to the distribution and disposition of funds derived from the sale of contraband or forfeited property under the "Alcoholic Beverage Control Law."

Judiciary.

By Mr. Roberts:

H. 25. To prescribe a rule of trial and appellate practice relative to the specification of grounds for objecting to the introduction of testimony and other evidence.

Judiciary.

By Mr. McDonald:

H. 26. To amend Sections 1, 2, 6, 8, and 12 of Act No. 263, approved July 7, 1945, which Act relates to the regulation of commercial fishing in certain public fresh waters of the State.

Conservation.

By Mr. Hornsby:

H. 27. To make an appropriation to the State Department of Public Welfare for old age assistance purposes in each of the fiscal years ending September 30, 1948, and September 30, 1949.

Ways and Means.

By Mr. Hornsby:

H. 28. To propose an amendment to the Constitution relating to the distribution of the proceeds of the State tax on net incomes, ordering a special election thereon, and providing for the payment of expenses of holding the election.

The above and foregoing bill H. 28, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Hankins:

H. 29. To make an appropriation of three million dollars (\$3,000,000) from the State General Fund to the minimum Program Fund, for the payment of salaries of teachers in the public schools, in each of the fiscal years ending September 30, 1948, and September 30, 1949.

Ways and Means.

By Mr. Lovelace:

H. 30. To provide for the creation of liens on personal property and accounts receivable by agreement, to secure loans and advances and to provide for the recording of notice of such liens, their application, enforcement and discharge.

Business and Labor.

By Messrs. Lovelace, Barnett, Evans:

H. 31. To amend Section 198 of Title 17 of the 1940 Code of Alabama, which provides for the compensation of election officers.

Constitution and Elections.

By Mr. Lovelace:

H. 32. To amend Sections 4, 4 (a), 5, 6, 7, 8, 9, 10, and 11 of Act 478, approved July 7, 1945, which relate to absentee voting in primary, general, and municipal elections.

Constitution and Elections.

By Mr. Haynes (of Franklin):

H. 33. To make an appropriation for old age assistance purposes.

Ways and Means.

By Mr. Haynes (of Franklin):

H. 34. To amend Section 728 of Title 51 of the 1940 Code, which relates to discounts allowed on sales of tobacco tax stamps, by reducing the discount from ten to five per cent.

Ways and Means.

By Mr. Haynes (of Franklin):

H. 35. To make it a misdemeanor for any able-bodied male citizen to fail or refuse to aid and assist a firewarden.

Judiciary.

By Mr. Haynes (Franklin):

H. 36. To provide for the payment of an informer's fee to any person who furnishes information leading to the apprehension, arrest, and conviction of a person for wilfully, maliciously, or wantonly setting a fire in violation of Section 204 of Title 8 of the 1940 Code.

Judiciary.

By Mr. Haynes (Franklin):

H. 37. To permit all school buildings and other properties used or held in trust by city boards of education for school purposes to be insured in the State Insurance Fund.

Education.

By Mr. Haynes (Franklin):

H. 38. To amend Section 204 of Title 8 of the 1940 Code, which relates to the punishment of persons convicted of wilfully, maliciously, or wantonly setting fires to woods or inflammable vegetation, by changing the minimum fine from ten dollars to one hundred dollars.

Judiciary.

By Messrs. Haynes (Franklin) and Black:

H. 39. To supplement Chapter 2 of Title 26 of the 1940 Code, which relates to mines and mining: regulating open cut and strip mining, and making a violation of any rule, regulation, or order promulgated under authority of the Act a misdemeanor.

Business & Labor.

By Mr. Haynes (Franklin):

H. 40. To require the governing body of each county to publish or post between the first and fifteenth day of every month a complete statement of all expenditures for road and bridge purposes made by the county during the preceding month.

Local Government.

By Mr. Haynes (Franklin):

H. 41. To amend Section 693 of Title 51 of the 1940 Code, which relates to license and registration fees for motor vehicles kept for private use, by reducing certain license and registration fees.

Ways and Means.

By Mr. Haynes (Franklin):

H. 42. To amend Sections 380, 381, 382, 386, and 388 of Title 55 of the 1940 Code insofar as they relate to the deposit of securities with the State Treasurer by banks and trust companies qualifying as State depositaries.

Business & Labor.

By Mr. Martin (with notice and Proof):

H. 43. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Greene County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Local Legislation.

Notice and Proof H. 43:

LEGAL NOTICE

As required by Article 4, Section 106 of the Constitution, notice is hereby given of the intention to apply at the next regular session of the Legislature of Alabama for the enactment of the following local law, the provisions of which shall be operative in Greene County only.

A BILL
TO BE ENTITLED
AN ACT

Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Greene County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This Act shall apply in, and only in, Greene County; it does not alter or repeal any statute, but is in addition to and cumulative of laws now in effect.

Section 2. (A) As used in this Act, unless the context requires a different meaning; "person" includes a firm, corporation, club, partnership, company, trustee, agency, or association, or any agent, servant, employee, or officer thereof; "seller" means a person who is engaged in the business of selling, distributing, delivering, storing, or taking out of storage, malt or brewed beverages within the county; "malt or brewed beverages" includes beer, larger beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more of alcohol by volume.

(B) The rules of construction and interpretation of statutes contained in Title 1 of the 1940 Code shall apply in the construction and interpretation of this Act.

Section 3. Each seller of malt or brewed beverages shall pay a license tax to the county in an amount equal to two cents on each twelve fluid ounces or fractional part thereof malt or brewed beverages sold, distributed delivered, stored, or taken out of storage within the county, unless an exemption is secured as provided by Section 6. The tax shall be in addition to all other taxes and licenses imposed by law.

Section 4. Each seller, except a seller who claims and obtains exemption under the provisions of Section 6, shall, on or before the fifteenth day of each month, file with the probate judge and the license inspector of the county, on forms to be prescribed and furnished by the probate judge, a written statement, sworn to and subscribed by him, which shall show: 1) the name and address of the seller; 2) each purchase or receipt of malt or brewed beverages made by him during the calendar month next preceding; 3) the name and address of the distributor, seller, or other person from whom purchased, received, or procured; 4) the brands purchased or received; 5) the quantity of each brand; 6) the size and kind of containers of each brand; 7) the date or dates on which purchased, received, or procured; 8) the name and address of each distributor, seller, or other person to whom any malt or brewed beverages were sold, distributed, or delivered; 9) the quantity of each brand sold, distributed, or delivered to each; 10) the size and kind of containers of each brand; 11) the date or dates on which sold, distributed or delivered.

Section 5. The license tax imposed by Section 3 shall be paid on or before the fifteenth day of each calendar month. The amount due shall be based on the sale, distribution, delivery, storage, and taking out of storage of malt or brewed beverages during the preceding calendar month.

Section 6. A seller purchasing malt or brewed beverages from any other

seller who has paid the license tax imposed thereon by Section 3 is exempt from paying the tax upon his application to the probate judge. The application for exemption from the payment of the tax shall be made by the seller on or before the fifteenth day of each calendar month. The application, verified by the oath of the seller, shall show: 1) the name and address of the applicant; 2) each purchase, receipt, or procurement of malt or brewed beverages made during the calendar month next preceding; 3) the name and address of the distributor, seller, or other person from whom purchased, received, or procured; 4) the brand of the malt or brewed beverages; 5) the quantity of each brand; 6) the size and kind of containers of each brand; 7) the date or dates on which purchased; received, or procured; and 8) the disposition thereof by the seller claiming the exemption.

Section 7. It is unlawful for any agent, servant, or employee of any seller who is delinquent in the payment of the license tax required by this Act to assist or carry on the business of the seller. Each day the agent, servant, or employees of a delinquent seller engages in or assists in carrying on such business shall constitute a separate offense.

Section 8. (A) Each seller shall keep complete records of all purchases, sales, receipts, inventories, and all other matters necessary to determine the correct amount of license tax for which he is liable. In the event a seller discontinues his business, he shall not dispose of his records without giving the probate judge and the license inspector thirty days' notice in writing.

(B) The seller's records, books of accounts, bank deposit books, and bank statements shall be open, during reasonable hours at the place of business of the seller, for inspection and examination by the probate judge, or his agent, and the license inspector.

(C) In the event the amount of tax due by the seller cannot be accurately determined from the seller's monthly report, or if the seller does not keep adequate records, or if he refuses to allow an examination of his records, the amount of tax due may be determined from any other information or data available, and the amount of the tax so determined shall be assessed against the seller. Notice of such assessment shall be given to the seller and a demand made for immediate payment.

(D) No person shall divulge any information obtained by him in the course of an inspection and examination of the records of any seller, except to a person duly authorized by the county or municipal governing body, the judge of probate, the county attorney, the license inspector, or others connected with the administration of this Act, unless he is required to do so by an order of a competent court.

Section 9. The license tax imposed by this Act shall be paid to the probate judge, and the proceeds shall be distributed by him as follows: two-fifths to the general fund of the county; two-fifths to the county board of education; and one-fifth prorated among the municipalities within the county upon the basis of their respective regulations according to the Federal Census. For such services the Probate judge shall be entitled to commissions of two and one-half per cent ($2\frac{1}{2}\%$) of all taxes collected.

Section 10. A person who violates the provisions of this Act is guilty of a misdemeanor; and each day his violation continue shall constitute a separate offense.

Section 11. No seller shall continue in business when he is in default in the payment of the tax imposed by this Act. In addition to other penalties, a delinquent taxpayer shall be liable for a penalty of twenty per cent of the amount found to be due by him. Penalties shall be paid into the general fund of the county.

Section 12. This Act shall not apply to acts or transactions in interstate commerce; nor shall any provision hereof apply to any business conducted by or for the United States or any other government.

Section 13. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid or inoperative, the remainder of

the Act and the application thereof to any other person or circumstance shall not be affected thereby.

Section 14. This Act shall become effective upon its passage.

Apr. 3, 10, 17, 24

STATE OF ALABAMA,
GREENE COUNTY.

Before me, Elenora M. Robinson, a Notary Public in and for said County, in said State, appeared A. B. Walton, who, being duly sworn, doth depose and say that he is publisher of THE GREENE COUNTY DEMOCRAT, a weekly newspaper published in the Town of Eutaw, State and County aforesaid, and that a certain advertisement (a true copy of which is hereto attached) has been published in said newspaper for four consecutive weeks, to-wit: the 3rd day of April, 1947; the 10th day of April, 1947; the 17th day of April, 1947; the 24th day of April, 1947.

And said publication was made without cost to the State of Alabama.

A. B. WALTON,
Publisher.

Sworn to and subscribed before me, this 25 day of April, 1947.

ELENORA McALPINE ROBINSON,
Notary Public.

By Mr. Ramey:

H. 44. To repeal Act 409, approved July 8, 1943, entitled, "An Act To provide additional compensation for election officials for attending schools of instruction regarding the use and operation of voting machines in all counties and municipalities or other political sub-divisions of the State, in which elections are conducted by voting machines; and to provide for the manner of paying said compensation."

Constitution and Elections.

By Mr. Ramey:

H. 45. To amend Section 198 of Title 17 of the 1940 Code, which relates to the pay of election officers, by changing the per diem of election officers from two to five dollars.

Constitution and Elections.

By Messrs. Shelton, Wallace, Johnston, Gibson, Brown, Larkins, Buckner, and McGowin:

H. 46. To amend Sections 212 and 214 of Title 45 of the 1940 Code, which relate to the payment of expenses for the hospitalization of insane patients.

Public Welfare.

By Messrs. Shelton & Callahan (with notice of proof):

H. 47. To amend Sections 10 and 11 of an Act approved August 3, 1927, entitled an Act to establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all the jurisdiction of the County Court of Tuscaloosa County, Ala-

bama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court.

Local Legislation.

Notice and Proof H. 47:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that application will be made at the next regular session of the Legislature of Alabama for the passage of a bill, which in substance will be as follows:

A BILL TO BE ENTITLED AN ACT

To amend Sections 10 and 11 of an Act approved August 3, 1927, entitled an Act to establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings of said Court.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 10 of said Act be amended so as to read as follows; Section 10. Be it further enacted that the Deputy Solicitor of Tuscaloosa County shall be the Solicitor of the Inferior Court of Tuscaloosa County and shall attend all sessions of said Court and do and perform all duties of a Solicitor therein and in addition attend and represent the State

at all preliminary hearings therein; also, aid or act for the Circuit Solicitor before the grand jury and in all matters in the Circuit Court and all bail and habeas corpus proceedings in all courts when requested to do so by the Circuit Solicitor, and perform all the duties of the Circuit Solicitor in his absence when so directed by the Circuit Solicitor; also, to represent the Alabama State Hospitals and the Partlow State Home for Mental Deficients in all habeas corpus proceedings brought in Tuscaloosa County, Alabama, when requested to do so by the Circuit Solicitor.

Section 2. That Section 11 of said Act be amended so as to read as follows: Section 11. Be it further enacted that said Deputy Solicitor shall receive a salary of \$3,000.00 per annum payable monthly out of the County Depository, and this shall be in lieu of any other salary now provided to be paid him.

Section 3. This Act shall become effective upon its passage and approval by the Governor.

I hereby certify that the attached notice was published in The Tuscaloosa News once a week for four consecutive weeks; viz, April 11, 18, 25, May 2, 1947.

BRUCE SHELTON,
Publisher.
LILLA COLLINS,
Notary Public.

Subscribed and sworn to before me on this the 2nd day of May, 1947.
(SEAL)

By Messrs. Shelton, Larkins, Buckner, Wallace, McGowin, Johnston, Gibson and Brown:

H. 48. To amend Sections 240 and 241 of Title 45 of the 1940 Code, which relate to the payment of the expenses of persons committed to the Partlow State School for Mental Deficients.

Public Welfare.

By Mr. O'Neal:

H. 49. To prohibit and make unlawful the exclusion from employment of any person by reason of membership in, or refusal to join or affiliate with any labor union or employee organization; and to provide penalties for the violation of said Act.

Business & Labor.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts and White (Covington):

H. 50. To make annual appropriations for the support, maintenance, and development of Public education in Alabama for each of the fiscal years ending September 30, 1948, and September 30, 1949, including all schools, agencies, services, and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts and White (Covington):

H. 51. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

Ways and Means.

By Messrs. Snodgrass, White (Covington), O'Neal, Larkins and Roberts.

H. 52. To make an additional appropriation to Alabama Polytechnic Institute for maintenance and operation of the Central Artificial Insemination Unit of \$2,000.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts and White (Covington):

H. 53. To make an additional appropriation to the State Board of Education for Civilian Rehabilitation of \$95,000.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the Alabama Special Educational Trust Fund.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts and White (Covington):

H. 54. To make an additional appropriation to the Minimum Program Fund of \$1,775,000.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts and White (Covington):

H. 55. To make an additional appropriation to the Agricultural & Mechanical Institute at Normal, Alabama, of \$55,000.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts and White (Covington):

H. 56. To make an additional appropriation to the Alabama Institute for Deaf & Blind from the General Fund for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the State Treasury and approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts, White (Covington):

H. 57. To make an additional appropriation to the Physical Restoration of Crippled Children of \$70,000.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, condi-

tional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts, White (Covington):

H. 58. To make an additional appropriation to the Teachers' Training Equalization Fund of \$209,000.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts, White (Covington):

H. 59. To make an additional appropriation to the Alabama Polytechnic Institute for Agricultural Research the sum of \$200,-860.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts, White (Covington):

H. 60. To make an additional appropriation to the Department of Veterans Affairs for salaries and other expenses the sum of \$37,500.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the State Treasury and approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts, White (Covington):

H. 61. To make an additional appropriation to Alabama Polytechnic Institute for Extension Work in Agriculture and Home Economics of \$110,000.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts, White (Covington):

H. 62. To make an additional appropriation to Alabama Polytechnic Institute of \$1,107,500.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts, White (Covington):

H. 63. To make an additional appropriation to the Military Department in the sum of \$200,000.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the State Treasury and the approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts, White (Covington):

H. 64. To make an additional appropriation to the University of Alabama of \$1,032,597.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts, White (Covington):

H. 65. To make an additional appropriation to the University of Alabama Medical College of \$56,750.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

Ways and Means.

By Messrs. Sandgrass and Wallace:

H. 66. To amend Section 718, Title 51, Article 9, Chapter 20, Code of Alabama 1940, as amended by Act No. 326, approved July 1, 1945, General Acts 1945, Page 528.

Ways and Means.

By Messrs. Snodgrass, Larkins, O'Neal, Roberts, White (Covington):

H. 67. To make an additional appropriation to the Alabama College of \$50,000.00 for each of the fiscal years ending September 30, 1948, and September 30, 1949, conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.

Ways and Means.

By Messrs. Snodgrass and Wallace:

H. 68. To Amend Section 755 of Title 51, Article 10, Chapter 20, Code of Alabama 1940, as amended by Act No. 471, Approved July 10, 1943, And Reported In Acts 1943, Page 435.

Ways and Means.

By Messrs. Snodgrass and Wallace:

H. 69. To Amend Section 789 of Title 51, Article 11, Chapter

20, Code of Alabama 1940, As Amended by Act. No. 475, Approved July 10, 1943, And Reported In Acts 1943, Page 439.

Ways and Means.

By Messrs. Snodgrass and Wallace:

H. 70. To Amend Section 752 Of Title 51, Article 10, Chapter 20, Code of Alabama 1940, As Amended By Act No. 584, Approved July 10, 1943, and Reported in Acts 1943, Page 585.

Ways and Means.

By Mr. Malone:

H. 71. To amend Section 38 and Section 40, Title 17, Code of Alabama 1940, which relate to lists of qualified electors, by providing that such lists, when delivered to the inspectors at each voting box or voting place shall contain only the names of such persons entitled to vote at each such box or voting place.

Constitution and Elections.

By Mr. Malone:

H. 72. To prohibit any discrimination against any employee or employees or the exclusion from employment of any person or persons on account of membership in or non-membership in any labor organization or labor association, by any person, firm, association or corporation doing business in this State; to make it unlawful for any person, firm, association or corporation doing business in this State to require any person or persons to pay any dues, any assessments or to make any contribution to any labor organization or labor association as a condition precedent to obtain or continue in any employment within the State; to make it the violation of any of the provisions of this act a public offense and a misdemeanor and to provide and prescribe the punishment therefor.

Business and Labor.

By Mr. Meeks:

H. 73. To amend Section 90, Article 2, Chapter 3, Title 36, Code of Alabama of 1940.

Ways and Means.

By Messrs. Gibson, Brown, Shelton, Busby, Buckner, and McGowin:

H. 74. To amend Section 175 of Title 55, Code of Alabama 1940.

State Administration.

By Messrs. Wallace, Johnston, Brown, Shelton, Busby, Larkins, Duffee, and McGowin:

H. 75. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Ways and Means.

By Messrs. Larkins, Wallace, Johnston, Brown, Shelton, Busby, Duffee, and McGowin:

H. 76. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Ways and Means.

By Messrs. Busby, Wallace, Brown, Johnston, Gibson, Shelton, Buckner, Larkins, and McGowin:

H. 77. To repeal Section 5 of the Act entitled "An Act, To provide for the examination and audit by the Division of Examiners of Public Accounts of State of Alabama offices, bureaus, boards, commissions, agencies, institutions, and departments and county offices; to require the Division to prescribe and enforce uniform accounting and reporting systems for such State offices, bureaus, institutions, boards, commissions, agencies and departments and county offices; and to appropriate such a sum as may be necessary to carry out the provisions of the act and the expenses incurred thereunder.", approved June 29, 1945.

State Administration.

By Messrs. Busby, Johnston, Gibson, Brown, Shelton, Larkins, Buckner, Wallace, and McGowin:

H. 78. To make an appropriation of \$150,000.00 to Tuskegee Normal and Industrial Institute to be expended for graduate work.

Ways and Means.

By Messrs. Busby, Shelton, Brown Wallace, Larkins, Johnston, Buckner, Gibson, and McGowin:

H. 79. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1948, and September 30, 1949, including all schools, agencies, services, and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama.

Ways and Means.

By Messrs. Larkins, Busby, Johnston, Gibson, Brown, Shelton, Buckner, Wallace, and McGowin:

H. 80. To amend Section 157 of Title 55 of the 1940 Code of Alabama.

State Administration

By Messrs. Busby, Johnston, Gibson, Brown, Shelton, Larkins, Buckner, Wallace, and McGowin:

H. 81. To make an appropriation for the support and maintenance of the Tuskegee Institute.

Ways and Means.

By Mr. Davis:

H. 82. To amend Section 72 of Title 18, Code of Alabama 1940.

Local Government.

By Mr. Davis:

H. 83. To amend Section 232 of Title 14 of the 1940 Code, which makes it a misdemeanor for any person to give a worthless check or draft.

Judiciary.

By Messrs. McIlwain, Ingalls, Merrill, Martin, Stone, Barnett, Lovelace, Malone, Dumas, Thagard, Inzer, and Wood (Bibb):

H. 84. To provide for auditing periodically the books, accounts, vouchers, and records of public officers, agencies, and institutions: creating a Department of Examiners of Public Accounts and a supervisory Legislative Committee on Public Accounts; abolishing the Division of Examiners of Public Accounts of the Department of Finance and transferring its functions, funds, books, records, furniture, fixtures, supplies, equipment, and personnel; and prescribing penalties for violations of this Act.

Judiciary.

By Mr. Broadwater:

H. 85. To propose an amendment to the Constitution of Alabama relative to regulating the costs and charges of courts and the fees, commissions, allowances, and salaries of certain public officers of Limestone County.

The above and foregoing Bill H. 85 proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Broadwater:

H. 86. To amend Section 85 of Title 22 of the 1940 Code, which relates to the promulgation and enforcement of rules for the operation of food-handling establishments.

Health.

By Mr. Wood (Washington):

H. 87. To repeal all laws or parts of laws that require the payment of a license, tax, excise, or fee for the privilege of taking, capturing, or killing foxes.

Conservation.

By Messrs. Busby, Brown, Wallace, Johnston, Gibson, Buckner, Larkins, McGowin:

H. 88. To make an appropriation for the support of the Council of State Governments.

Ways and Means.

By Messrs. Johnston, Sullivan, and Stone:

H. 89. To enable the State of Alabama to enter into a compact with other states for the purpose of promotion and better utilization of the fisheries of the Gulf of Mexico to be known as the Gulf States Marine Fisheries Compact to provide for representatives to the commission created thereby, and to provide an appropriation therefor.

Conservation.

By Messrs. Sullivan, Johnston, Stone, and White (Perry):

H. 90. To appropriate to the several counties of the State and the municipalities therein, for the fiscal year ending September 30, 1947, and for each fiscal year thereafter, all that portion of the two and one half ($2\frac{1}{2}$) mill State ad valorem tax levied and collected in such county which is in excess of the receipts for the fiscal year ending September 30, 1942, and to provide the manner of payment of such excess.

Ways and Means.

By Messrs. Stone, Johnston, and Sullivan:

H. 91. To apply only in Counties of the State having a population of not less than 143,500 nor more than 400,000 according to the last or any subsequent Federal census; and to provide for the appropriation by all Cities and Towns in such Counties of an amount equal to one-half ($\frac{1}{2}$) of one percent of the assessed value of all real and personal property in such Cities and Towns to the County School Board or Board of Education therein.

Local Legislation.

By Messrs. Johnston, Sullivan, and Stone:

H. 92. To amend Section 221 of Title 7 of the 1940 Code of Alabama.

Judiciary.

By Messrs. Johnston, Sullivan, and Stone:

H. 93. To provide for the answer of interrogatories propounded under section 477 of title 7 of the 1940 Code of Alabama by a servant or agent of the individual to whom same are addressed.

Judiciary.

By Messrs. Johnston, Sullivan and Stone:

H. 94. To amend section 150 of Title 7 of the 1940 Code of Alabama.

Judiciary.

By Messrs. Johnston, Brown, Larkins, Wallace, McGowin, Gibson, and Buckner:

H. 95. To Amend Section 776, Title 51, Article 10, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Messrs. Johnston, Gibson, Larkins, Brown, Busby, Buckner, McGowin:

H. 96. To prohibit the further issuance and sale of sales tax tokens; to provide for and require the redemption of tokens currently circulating in Alabama; and to make an appropriation for the payment of expense incurred thereby.

Ways and Means.

By Messrs. Stone, Sullivan, and Johnston:

H. 97. To permit the catching of shrimp for use as bait during the closed season; to prescribe regulations under which such shrimp may be taken; to provide for the licensing of persons selling or offering for sale of such shrimp; and to provide penalties for the violation hereof.

Conservation.

By Messrs. Stone, Sullivan, and Johnston:

H. 98. To amend an Act entitled "An Act to authorize the establishment and the maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervisions thereof; to repeal all laws and parts of laws inconsistent and in conflict with the provisions of this Act, and for other purposes," approved July 8, 1943.

Business & Labor.

By Messrs. Stone, Johnston, and Sullivan:

H. 99. To make it unlawful to take or catch or attempt to catch or take Menhaden in any of the waters of this State; to provide a penalty for the violation hereof.

Conservation.

By Messrs. Stone, Sullivan, and Johnston:

H. 100. To amend Section 73, Title 8 (as amended by Act Number 556, General Acts, 1943, page 543, approved July 10th, 1943), of the Alabama Code of 1940; relating to the use of nets, seines or traps on streams emptying into salt waters of State.

Conservation.

By Messrs. Johnston, Gibson, Shelton, Brown, Larkins, Wallace, Busby, Buckner, and McGowin:

H. 101. To provide for the transfer of \$150,000.00 in the State Treasury to the credit of the Tax Token Redemption Fund for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Alabama Special Educational Trust Fund.

Ways and Means.

By Messrs. Stone, Sullivan, and Johnston:

H. 102. To amend Section 161 of Title 8 of the Alabama Code of 1940.

Conservation.

By Messrs. Stone, Johnston, and Sullivan:

H. 103. To repeal Section 74, Title 8, The Alabama Code of 1940.

Conservation.

By Messrs. Stone, Johnston, and Sullivan:

H. 104. To Amend Section 385, Title 51, Code of Alabama of 1940 as heretofore amended by General Act No. 448 of the Legislature of Alabama of 1943 (General Acts of Alabama of 1943, page 412) approved July 10th, 1943, entitled "An Act to Amend Section 385 of Title 51 of the Code of Alabama of 1940 to allow as a deduction in the computation of net income for income tax purposes certain non-trade or non-business expenses", and as heretofore amended by General Act No. 318 of the Legislature of Alabama of 1945 (General Acts of Alabama of 1945, page 515) approved July 7th, 1945, entitled "An Act to Amend Section 385, Title 51, Code of Alabama of 1940", so as to re-enact said Act No. 448 of the Legislature of 1943 and said Act No. 318 of the Legislature of 1945 hereinabove more particularly designated, combining the provisions of said enactments in one enactment and recognizing and making the provisions of each of said enactments as herein re-enacted effective retrospectively as of the respective effective dates of each of said enactments.

Ways and Means.

By Messrs. Johnston, Sullivan, and Stone:

H. 105. To Amend Section 311 of Title 26 of The 1940 Code of Alabama.

Judiciary.

By Messrs. Johnston, Busby, Buckner, McGowin, Wallace, Gibson, Larkins, Brown, and Shelton:

H. 106. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

Ways and Means.

By Mr. Ingalls:

H. 107. To amend Section 312 of Title 26 of the 1940 Code of Alabama as amended by Section 8 of Act No. 660 adopted by the Legislature of Alabama in Regular Session 1939.

Judiciary.

By Mr. Ingalls:

H. 108. To amend Section 94 of Title 17 of the 1940 Code, which relates to the installation of voting machines by political subdivisions of the State.

Constitution and Elections.

By Mr. Pinson:

H. 109: To amend Section 29 of Title 60, Code of Alabama 1940, as amended by an Act approved May 15, 1943, entitled, "An Act to amend Sections 29 and 35 of Title 60 of the 1940 Code of Alabama."

Ways and Means.

By Mr. Malone:

H. 110. To amend Section 54, Title 17, Code of Alabama 1940, and to further prescribe the duties of the boards of registrars of the several counties of the State.

Constitution and Elections.

By Mr. Benford:

H. 111. To propose an amendment to the Constitution of Alabama creating a Board of Apportionment and defining the duties thereof relating to apportioning the membership of the Senate and of the House of Representatives in the event of the failure of the Legislature to apportion said membership as provided by law, and to order an election for the qualified electors of the State of Alabama upon such proposed amendment, to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed.

The above and foregoing Bill H. 111 proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. White (Perry):

H. 112. To prohibit the several counties of the State of Alabama from paying to any Bank, Banking Institution or Trust Company more than 1/10 of 1% for the processing, handling, collecting or paying, the principal of any bond, warrant or evidence of indebtedness of any such county, and to prohibit the several counties of the State of Alabama from paying to any Bank, Banking Institution or Trust Company more than 1/4 of 1% for the processing, handling, collecting or paying, the interest on any bond, warrant or evidence of indebtedness of any such county.

Business & Labor.

By Messrs. Mason and White (Perry):

H. 113. To Amend Section 318, Title 15, of the Code of 1940.

Judiciary.

By Mr. Pinson:

H. 114. To make an additional appropriation to Tuskegee Institute, Tuskegee, Alabama, for the support and maintenance of graduate instruction in home economics, rural education, and agriculture and professional instruction in veterinary medicine and engineering.

Ways and Means.

By Messrs. Head and Wood (Bibb):

H. 115. To amend section 247 of title 29, of the 1940 code of Alabama, pertaining to the seizure and forfeiture of conveyances and vehicles transporting prohibited liquors and beverages.

Judiciary.

By Mr. Head:

H. 116. To provide for absentee voting in primary, general, and municipal elections; and to prescribe penalties for the violation of any of the provisions of this act.

Constitution and Elections.

By Messrs. Cole and Brassell (with notice and proof):

H. 117. To amend Section 2 of an Act approved May 28, 1943, fixing the salary of the Deputy Circuit Clerk of Russell County, Alabama, and providing the method of payment thereof.

Local Legislation.

Notice and Proof H. 117:

NOTICE is hereby given that the following local bill will be introduced in the Legislature of Alabama at its 1947 session:

A BILL
ENTITLED
AN ACT

To amend Section 2 of an Act approved May 28, 1943, fixing the salary of the Deputy Circuit Clerk of Russell County, Alabama, and providing the method of payment thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 2 of the Act approved May 28th, 1943, fixing the salary of the Deputy Circuit Clerk of Russell County, Alabama, be and the same is hereby amended to read as follows: Section 2. That such Deputy Circuit Clerk shall be paid a salary out of the General Fund of Russell County, of not less than \$1200.00 per annum and not in excess of \$1800.00 per annum, to be fixed by the Court of County Commissioners of Russell County, Alabama, and to be paid in twelve equal monthly installments.

Section 2. Should any clause, section, or provision of this act be declared unconstitutional, the same shall not affect the remaining clauses, sections, or provisions thereof.

Section 3. This act shall take effect immediately upon its passage and approval by the Governor.

STATE OF ALABAMA
RUSSELL COUNTY

Before me, a Notary Public, in and for said County, in said State, personally appeared Isabel A. Moses, who being known to me, after first having been duly sworn, deposes and says:

That she is the publisher of the Phenix-Girard Journal, a newspaper published in Phenix City, Russell County, Alabama and having general circulation in said County and that the attached notice of the intention to apply for the passage of a local law affecting said Russell County was published in said newspaper once a week for four consecutive weeks in its issues of December 13th, December 20th, December 27, 1946 and January 3rd, 1947; that said newspaper was printed all in Alabama and published in Russell County, Alabama and is printed in the English language and has a general circulation in said County of Russell in which it is published and said newspaper had been mailed under the second class mailing privileges of the United States Post-Office in Phenix City, Alabama, where it is published for fifty-two weeks prior to the first publication of said notice in said newspaper.

ISABEL A. MOSES,

Publisher.

Sworn to and subscribed before me this the 22nd day of April, 1947.

ISAAC I. MOSES,

Notary Public.

By Messrs. Cole and Brassell (with notice and proof):

H. 118. To establish for the municipality of Phenix City a pension and relief system for the benefit of fireman and policeman: creating for that purpose a fund, the revenues of which shall be derived from deductions from the salaries of participating firemen and policemen, from contributions made by the city, from fees, donations, rewards, and gratuities paid participating firemen and policemen for special services, from the annual privilege license tax on fire and marine insurance companies, from receipts by the city of income from contraband liquor, and from penalties, forfeitures, gifts, and other sources; imposing specific duties upon the city clerk and city attorney in connection with the administration of the Act; and prescribing penalties for violations.

Local Legislation.

Notice and Proof H. 118:

NOTICE is hereby given that application will be made to the Legislature of Alabama, at its 1947 session for the passage of the following local Act:

A BILL
TO BE ENTITLED
AN ACT

To establish for the municipality of Phenix City a pension and relief system for the benefit of fireman and policeman; creating for that purpose a fund, the revenues of which shall be derived from deductions from the salaries of participating firemen and policemen, from contributions made by the city, from fees, donations, rewards and gratuities paid participating firemen and policemen for special services, from the annual privilege license tax on fire and marine insurance companies, from receipts by the city of income from contraband liquor, and from penalties, forfeitures, gifts and

other sources; imposing specific duties upon the city clerk and city attorney in connection with the administration of the Act; and prescribing penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1. This act shall apply to and have application in the municipality of Phenix City.

2. As used in this Act unless the context requires a different meaning: "city", "such city", or "the city" means the municipality of Phenix City; "fireman" means any regular full-time member of the fire department of the city; "policeman" means any regular full-time member of the police department of the city; "fund" means the Firemen's and Policemen's Pension and Relief Fund created by the Act; "board", or "board of trustees", means the Board of Trustees of the Fireman's and Policeman's Pension and Relief Fund; "person" includes association, corporation, firm, or partnership. The singular number includes the plural, and the plural the singular; the masculine gender includes the feminine and the neuter person.

3. There is hereby created and established a fund for the benefit of the persons hereinafter described, the revenues of which shall be derived from the sources enumerated in Section 4. The fund shall be known as the "Fireman's and Policeman's Pension and Relief Fund."

4. The revenues of the fund shall be derived and obtained from the following sources:

(A) From the salary of each fireman and each policeman there shall be deducted as salary becomes payable, a sum equal to five per cent of the amount of such salary. Whenever a member of the fire department or of the police department is ineligible to participate in the benefits of the fund neither he nor his salary or other compensation shall be subject to any assessment for the benefit of the fund.

(B) Each fire insurance company doing business in the city shall, before the first day of March of each year, pay into the fund a sum equal to one and one-half per cent of the gross premiums, less return premiums, received by such company for and on account of business done by it in the city during the preceding calendar year. It shall be unlawful for any fire insurance company or its agent to take or receive any premium for insurance against fire within the city unless such company pays to the fund any amount herein required to be paid by it. Any fire insurance company that violates any provision of this Act shall forfeit the sum of one thousand dollars, to be recovered for the use of the fund by suit brought in the name of the city. Each person, firm, or corporation conducting a fire insurance agency or brokerage business in the city shall make, and file with the city clerk within the first ten days of each calendar year, a sworn statement of the name and address of each fire insurance company which such person, firm or corporation represented or did business for as agent or broker during the preceding year. Any person who fails or refuses to file such statement shall forfeit the sum of one hundred dollars, to be recovered for the use of the fund by suit brought in the name of the city. Forfeitures and penalties, when collected, shall be a part of the fund. Any sum, or sums, except forfeitures and penalties, required by this Section to be paid by fire insurance companies shall be treated and held to be a part of the privilege license tax which any municipal corporation may impose upon fire or marine insurance companies under Section 739 of Title 37 of the 1940 Code.

(C) Each fireman and policeman is required to pay promptly into the fund his witness fee in any case in which he may have been summoned by the city, and all money received by him as a donation, reward, or gratuity, including any liquor seizure fee, for unusual or special services performed in the line of duty.

(D) There shall be paid into the fund, as and when received by the city, amounts received by it from the Alabama Alcoholic Beverages Control Board

for contraband liquors and beverages confiscated and delivered to that agency.

(E) The board may take by gift, grant, devise, or bequest, and money, personal property, or real estate, or any interest therein. Any gift, grant, devise or bequest may be absolute or upon condition that only the rents, income, and profits arising therefrom shall be applied to the purpose for which the fund is created.

(F) The governing body of the city shall cause to be paid into the fund monthly, out of the city treasury, an amount sufficient to match the sums contributed from salaries by members of the fire and police department who are eligible to participate in the benefits of the fund.

5. To manage, supervise and control, and distribute the fund, there shall be a board of trustees, to be known as the "Board of Trustees of the Firemen's and Policemen's Pension and Relief Fund", which shall have five members: namely, (1) the officer of the city having supervision of the police department and the fire department, who shall be the chairman of the board; (2) the chief of the city fire department; (3) the chief of the city police department; and, to be selected as hereinafter provided, (4) one fireman and (5) one policeman. Immediately after the effective date of this Act, the chief of the police department shall appoint a policeman and the chief of the fire department shall appoint a fireman to serve as members of the board until their successors are elected as provided in Section 6.

6. One member of the board shall be elected, from among their number, by the policemen who are eligible to participate in the fund; one member shall be elected, from among their number, by the firemen who are eligible to participate in the fund. A separate election shall be held by each department on the second Tuesday in January, 1948, and on the second Tuesday in January of every third year thereafter. Neither the chief of the police department nor the chief of the fire department shall be entitled to vote in such elections. Election shall be held at police headquarters for the police department and at Fire Station Number One for the fire department; they shall begin at nine o'clock in the forenoon and continue until six o'clock in the afternoon. Voting shall be by secret ballot. The city clerk shall prepare the ballots, which shall be printed, typewritten, or mimeographed, and shall place thereon the names of those persons nominated as candidates and the name of any fireman or policeman eligible to vote at the election who request in writing that his name be placed on the ballots. Any three firemen who are eligible to vote in the election may nominate, in writing, a candidate from fire department; any three policemen who are eligible to vote in the election may nominate, in writing, a candidate from the police department. Nominations and requests from persons entitled to vote in the election that their own names be placed on the ballots, shall be filed with the city clerk not earlier than two weeks before the date of the election and not later than five o'clock in the afternoon of Thursday immediately preceding the election. candidate receiving the highest number of votes at the election shall be elected; he shall hold office for a term of three years, beginning on the Monday next following his election. The chief of the police department and one policeman selected by him, and the chief of the fire department and one fireman selected by him, shall act as election officials in the election of their respective departments.

On the day of the election, immediately after the polls are closed, the election officers shall count the votes and certify, in duplicate, the number of ballots cast for and received by each candidate. After the certificate is signed, the department chief shall post one copy in the voting place and, not later than twelve o'clock noon on the following day, deliver the other copy, together with all the ballots cast in the election, sealed in an envelope, to the chairman of the board. On the day following the election, in the presence of the chief of the fire department and the chief of the police department, the chairman shall open the envelope, examine the certificate, ascertain the result, and issue a certificate of election to the candidate receiving the highest number of votes. In case two or more candidates re-

ceived the same number of votes at the election, the chairman shall forthwith determine by lot from the names of such candidates which shall be the trustee. No election shall be set aside for want of formality in balloting, or in certifying or transmitting returns. If a vacancy occurs in an elective membership on the board, such vacancy shall be filled for the unexpired term by appointment by the remaining members of the board from the membership of the department, the representation of which was affected by such vacancy.

7. The board shall have exclusive management and control of the fund and all matters connected therewith. It shall have power to adopt and enforce such rules and regulations as may be necessary to enable it to carry into execution the purposes for which the fund is established. The board shall hear and decide all applications for pensions and relief; its decisions in regard thereto shall be final and conclusive and are not subject to review. Three members of the board shall constitute a quorum for the transaction of business, but the affirmative vote of three members shall be necessary to adopt any motion or resolution, or to transact any business. The board shall cause to be kept a record of all meetings and proceedings. Meetings of the board shall be held in the city hall at such times as meetings may be called by the chairman or by any two members. No member of the board shall receive any salary or compensation for serving as a trustee.

8. The city clerk shall be the secretary of the board. It shall be his duty to keep a full and complete record of all proceedings of the board; he shall perform such other duties as may be assigned to him. The city clerk shall also be treasurer of the fund and the custodian of all money and securities belonging to it. He shall be liable on his official bond as city clerk for the faithful performance of the duties imposed upon him by this Act and for an accounting of all money, securities, and things of value which may come into his hands as treasurer of the fund. He shall keep accounts which show the true condition of the fund at all times. Upon the expiration of the city clerk's term of office, or whenever he ceases to hold office, he shall surrender and deliver up to his successor all bonds, securities, money and every thing else of value that he holds as treasurer or custodian of the fund. The city clerk shall not receive any additional compensation for services rendered under this Act.

9. The board may invest money held in the fund, or such portion of it as may be safely withdrawn for the purpose, in interest bearing bonds, warrants, or other obligations of the United States of America, of the State of Alabama, or of the city. Income from investments shall become part of the fund. Securities belonging to the fund shall be held by the treasurer of the fund, subject to the management and control of the board.

10. On or before the first day of February of each year, the board shall make reports of the condition of the fund, as of December 31st of the preceding year, to the governing authority of the city, to the fire department, and to the police department.

11. The board shall appoint a bank or trust company doing business in the city as a depository in which the treasurer shall deposit all money belonging to the fund. If any funds are dissipated or lost by reason of the insolvency or failure of such depository, such dissipation or loss shall not constitute a liability of the treasurer. Interest received on deposits shall be and become a part of the fund.

12. No warrant or check shall be drawn on the fund except by an order of the board entered in the record of its proceedings. The depository shall not pay out funds except on a warrant or check signed by the chairman and countersigned by the secretary.

13. The board is authorized to pay out of the fund reasonable and necessary expenses incurred in the administration of this act.

14. It shall be the duty of the city attorney, upon request, to give advice to the board in all matters pertaining to its duties and the management of the fund, and to represent or defend the board in all suits and actions at law or in equity. The board shall have the authority to employ other counsel as it may see fit and to pay to them reasonable fees out of the fund.

15. The board shall have authority to retire, without regard to length of service, any fireman or policeman who attains the age of sixty-five years. Any persons so retired shall be paid monthly, from the fund, a sum equal to two per cent of the amount of the monthly salary he was receiving at the time of his retirement multiplied by the whole years he served in the department prior to retirement.

16. Regardless of age or physical condition, any fireman or policeman who has been in the service for as long as twenty-five years, or any fireman or policeman who has reached the age of sixty years and has been in the service for as long as twenty years may be retired and his name placed upon the pension roll upon his application therefor. Any person so retired shall be paid monthly, from the fund, a sum to be determined as in Section 15.

17. Whenever the board determines that a fireman or policeman has become temporarily disabled, mentally or physically, as a result of an injury received in the performance of duty, such disabled fireman or policeman shall be paid monthly, out of the fund, during the period of his disability sum equal to sixty per cent of the monthly compensation he was receiving from the city at the time he became disabled. But any benefits payable upon this Section shall be reduced by an amount equal to the amount, if any, which the beneficiary receives from the city as salary during disability. The board shall be the sole judge of the extent and cause of any disability and of the time such disability ceases to exist; determinations of the board in those regards shall be final. In the event the board determines that such disability is or has become permanent, the disabled person shall be retired, his name shall be placed upon the pension roll, and he shall be paid monthly the benefits payable under this Section.

18. When any fireman or policeman is confined to his bed or is under the care of a physician for fifteen days or more by reason of sickness or other disability not otherwise provided for, he shall be paid weekly, but not for more than twelve weeks, from the fund, the sum of twenty-five dollars; however, if such policeman or fireman has been in the service of the department of which he is a member for a period of ten years or more and the board determines at the end of twelve weeks that his disability is permanent, he shall be retired and paid in accordance with the provisions of Section 17. But no fireman or policeman shall be paid any benefits or relief under this Section if his sickness or disability was caused by dissipation, immoral conduct, or vicious habits, or if during the time of his disability he receives his regular compensation from the city.

19. After any fireman or policeman has been retired by reason of a disability, as provided in Sections 17 and 18, the board shall have power to cause such person to be brought before it and examined by the city's physician, or other competent physicians and surgeons to be selected by the board, and to examine witnesses for the purpose of discovering whether the disability continues or whether such persons should be continued on the pension roll or returned to active duty. However, before such member is restored to active duty, he shall be given notice and afforded a hearing; he shall be permitted to propound any question pertinent or revelant to the inquiry; and he shall also have the right to introduce evidence in his own behalf as he may see fit. Witnesses at such hearings shall be examined under oath, to be administered by any member of the Board. Such member shall be entitled to be paid benefits until he is reinstated to active service.

20. (A) If any fireman or policeman is killed while in the performance of his duty, or dies as a result of an injury received in the line of duty, or dies from any cause while in service as a result of his service, or dies from any cause while in service or on the retirement roll after having served for more than fifteen years, the last five years of which were continuous, the board shall cause to be paid monthly to the widow—to whom the deceased, if retired, was married at the time of retirement—during her natural life or until she remarries, a sum equal to twenty per cent of the salary of the deceased fireman or policeman.

(B) If such deceased fireman or policeman leaves surviving him a child under sixteen years of age, the board shall cause to be paid, for the benefit of such child, monthly, to the mother, if living, a sum equal to ten per cent of the salary of the deceased; but not more than thirty per cent of the salary of a deceased fireman or policeman shall be paid to the children of such deceased in any case. Such payments shall be continued so long as the child lives with the mother, is under the age of sixteen years, and is supported by the mother. If the child has no mother, or if the mother dies during the time the child is entitled to benefits under this Act, payments may be made to the person having control and custody of the child, or to some other person, as the board may determine.

(C) In the event such deceased fireman or policeman is not survived by a widow or child who are entitled to benefits under A or B but does leave surviving him a widowed mother who is entirely dependent upon him for support the board shall pay to such mother monthly, during her natural life or so long as she remains unmarried, a sum equal to twenty per cent of the deceased's salary.

21. There shall be kept by the secretary a book, to be known as the list of retired firemen and policemen, which shall contain a complete record of the action of the board in retiring or refusing to retire any person under this Act. For each person retired, the records shall show the date of entering service, date of retirement, and the reason of retirement. There shall also be kept a complete list of the names, ages, and addresses of all children and the name and address of the widow, if any, of a policeman or fireman who has been granted benefits under this Act.

22. Every application for the payment of benefits under this Act and the evidence supporting such claims shall be retained by the board as a part of its records.

23. Pension and benefits payable under this Act shall be made on a salary percentage basis; they shall increase or decrease in accord with the increase or decrease of the salaries of active members of the fire and police departments.

24. If at any time there is an insufficient amount of money in the fund to pay each person entitled to benefits the full amount due him, payment shall be made to each beneficiary pro rata.

25. No pension or other benefits, except for disability incurred in line of duty, shall commence or be payable under this Act prior to the first day of October, 1948. And under no circumstance shall any beneficiary be paid a pension or other benefits of more than one-hundred and twenty-five dollars per month.

26. If any fireman or policeman is discharged, or if for any other reason he leaves his employment before he becomes entitled to the retirement benefits provided for in this Act, he forfeits his rights under the Act. But he shall be entitled to a refund of all deductions made against his salary, without interest, less one half of all benefits which may have been paid to him from the fund.

27. No portion of the fund, whether in cash, credits, or securities, either before or after its distribution by the board to the persons or persons entitled thereto, shall be held, seized taken, subjected to, detained, or levied upon by virtue of any attachment, garnishment, execution, writ, order, decree, or other process issued out of any court of this State for the satisfaction of any debt, demand, claim, judgment, or decree against any beneficiary of the fund. Nor shall any assignment be made of any portion of the fund, or of any right or interest therein, by any beneficiary or prospective beneficiary thereof; assignments or attempted assignments shall be void. The fund shall be kept, held, and distributed in accordance with this Act and for no other purpose. No act of the board, of the governing body of the city, or of any individual, which is authorized or required to be taken under this Act, shall create any contractual or vested right hereunder; the Legislature reserves the right to amend, alter, or repeal any and every provision hereof.

28. This Act shall not apply to any policeman or to any fireman, who, within thirty days after the effective date, notifies the governing body of the city in writing that he does not wish to participate in the benefits of the fund.

29. The provisions of this Act are declared to be severable; the holding of any section or part of the Act to be void for any cause shall not affect other sections or parts.

30. This Act shall become effective immediately upon its passage and approval by the Governor.

J. W. Brassell
Representative

STATE OF ALABAMA
RUSSELL COUNTY

Before me, a Notary Public, in and for said County, in said State, personally appeared Isabel A. Moses, who being known to me, after first having been duly sworn, deposes and says:

That she is the Publisher of the Phenix-Girard Journal, a newspaper published in Phenix City, Russell County, Alabama, and having general circulation in said County and that the attached notice of the intention to apply for the passage of a local law affecting said Russell County was published in said newspaper once a week for four consecutive weeks in its issues of January 31st, February 7th, February 14th and February 21st, 1947; that said newspaper was printed all in Alabama and published in Russell County, Alabama and is printed in the English language and has a general circulation in said county of Russell in which it is published and said newspaper had been mailed under the second class mailing privileges of the United States Post-Office in Phenix City, Alabama, where it is published, for Fifty-two weeks prior to the publication of said notice in said newspaper.

ISABEL A. MOSES,
Publisher.

Sworn to and subscribed before me this the 28th day of April, 1947.

ISAAC I. MOSES,
Notary Public, Russell County, Alabama.

By Messrs. Cole & Brassell (with notice and proof):

H. 119. To authorize the Sheriff of Russell County to appoint an additional deputy sheriff; to fix the salary of the deputy, and to require him to give bond.

Local Legislation.

Notice and Proof H. 119:

LEGAL NOTICE

Notice is hereby given that the following local bill will be introduced in the Legislature of Alabama at its next session in 1947:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Sheriff of Russell County to appoint an additional deputy sheriff; to fix the salary of the deputy, and to require him to give bond.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Sheriff of Russell County is authorized to appoint a deputy sheriff, in addition to the deputies now provided for by law, whose annual salary shall be fixed by the governing body of the county at not less than one thousand two hundred dollars nor more than one thousand eight hundred dollars, payable in equal monthly installments by the County. The appointee shall hold office at the pleasure of the Sheriff.

Section 2. The County Commission of Russell County, Alabama is required to draw warrants in favor of the deputy, payable out of the general funds of the County, upon proper claim being made.

Section 3. The deputy is required to give bond in the sum of two thousand dollars as provided in Section 35, Title 41 of the 1940 Code.

Section 4. Should any section, clause or provision of this Act be declared unconstitutional, the same shall not affect the remaining sections, clauses or provisions of this Act.

Section 5. This Act shall take effect immediately upon its passage and approval by the Governor.

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STATE OF ALABAMA
RUSSELL COUNTY

Before me, a Notary Public, in and for said County, in said state, personally appeared Isabel A. Moses, who being known to me, after first having been duly sworn, deposes and says:

That she is the Publisher of the Phenix-Girard Journal, a newspaper published in Phenix City, Russell County, Alabama, and having general circulation in said County and that the attached notice of the intention to apply for the passage of a local law affecting said Russell County was published in said newspaper once a week for four consecutive weeks in its issues of December 6th, December 13th, December 20th and December 27th, 1946; that said newspaper was all printed in Alabama and published in Russell County, Alabama and is printed in the English language and has a general circulation in said County of Russell in which it is published and said newspaper had been mailed under the second class mailing privileges of the United States Post Office in Phenix City, Alabama, where it is published, for Fifty-two weeks prior to the first publication of said notice in said newspaper.

ISABEL A. MOSES,
Publisher.

Sworn to and subscribed before me this 21st, day of April, 1947.

(SEAL)

ISAAC I. MOSES,

Notary Public.

By Messrs. Cole & Brassell (with notice and proof):

H. 120. To provide for the municipality of Phenix City a civil service system governing the appointment removal, salaries, tenure, and official conduct of employees and officers of the police and fire departments of the city, defining violations of the Act, and imposing penalties for violations.

Local Legislation.

Notice and Proof. H. 120:

Notice is hereby given that application will be made to the Legislature of Alabama during its 1947 session for the introduction and passage of the following local act.

A BILL
TO BE ENTITLED
AN ACT

To provide for the municipality of Phenix City a civil service system governing the appointment removal, salaries, tenure, and official conduct of employees and officers of the police and fire departments of the city, defining violations of the Act, and imposing penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1. This Act shall apply to and have application in the municipality of Phenix City only.

2. As used in the Act, unless the context requires a different meaning, "city" means the municipality of Phenix City; "employee" means any person, other than the department chief, who is employed in the police or fire department of the city; "board" means the civil service board created by this Act.

3. All employees and the chiefs of the police and fire departments of the city shall be governed by civil service rules and regulations prescribed in or promulgated pursuant to this Act, administered by a civil service board, the creation of which is provided for in Section 4. The present employees and chiefs of such departments shall remain in their respective employments during good behavior; but nothing here in shall be construed to prevent or preclude the removal of an employee or chief for cause in the manner hereinafter provided; and such employees and chiefs, except for appointment, shall be subject fully to the provisions of this Act.

4. There is created the Civil Service Board of Phenix City, which shall be composed of the mayor of the city, who shall be chairman of the board, and two associate members, each of whom shall be appointed by the Governor for a term of six years, except that, of the first appointees, one shall be appointed for three years only. The Governor shall not appoint any person to the board who is not domiciled in and a qualified elector of the city, and no person shall be appointed who has not been nominated for appointment by the members of the Legislature who represent Russell County and the Twenty-Seventh Senatorial District. Associate board members shall not hold any other office or employment under the city, the county, or the State. A vacancy on the board shall be filled by appointment for the unexpired term.

5. Associate board members shall be paid ten dollars for each meeting attended, but not more than one hundred and eighty dollars in any year. The mayor of the city shall not receive any compensation as chairman or as member of the board. The board shall have power to appoint personnel necessary for its work and to delegate to its personnel such duties and powers as may be practicable. The governing body of the municipality shall provide for the salaries and expenses of the board.

6. The board shall hold regular meetings on the third Monday of each month; it may hold special, adjourned, or call meetings at any time. All meetings of the board shall be held in the city hall.

7. The board shall keep minutes of its meetings and a record of all business transacted by it. Its records, except those the rules of the board requires to be held confidential for reasons of public policy, shall be open for inspection by any resident of the city at all reasonable times.

8. The board shall have the power to make rules and regulations governing examinations, eligible registers appointment, salaries, demotions, and such other matters as may be necessary to accomplish the purposes of this Act. A rule or regulation may be made effective only after a public hearing is held on the proposal thereof and after a certified copy thereof has been filed with the city clerk. All employees and the chiefs of the police and fire departments shall be appointed upon a nonpartisan merit basis. There shall not be appointed, and the board shall not examine, any person who is not a

citizen of the United States, or one who has been convicted of a felony. The board shall: (1) classify the different types of services to be performed in the police and fire departments; (2) prescribe qualifications, including those of education, training and experience, for the appointees and incumbents of each class; (3) subject to approval by the city governing body, fix a maximum and minimum salary for each class; and (4) allocate each position in the police and fire departments to its proper class. It shall provide for the periodic rating of employees and chiefs according to their merit to determine whether they are maintain standards of service. The board shall establish rules and regulations governing dismissals, suspensions, layoffs, terminations, and leaves of absence, and the severance of an employee's or chief's relationship with the city shall be in accordance with such regulations. In the event a reduction in force becomes necessary, the order of layoff shall be inverse to the order of appointment.

9. The salary to be paid to each employee shall be determined by the Board of Commissioners of the City of Phenix City, Alabama, or the Governing Body of said City and shall be payable in such sums and such times as the Governing Body of said City shall prescribe.

10. The board shall make and keep a register of all persons eligible and available for appointment to each class of position in the police department and the fire department, ranked according to ability. Layoffs available for re-employment shall be placed at the head of the proper present and subsequent eligible registers in the inverse order of their terminations. Employees and chiefs who voluntarily terminate their services may be granted re-employment status upon proper eligible registers under such circumstances and in such manner as may be provided for in the board's rules and regulations, subject, however to stipulations of this Section concerning layoffs. Persons desiring appointment may file application with the board, and the board shall, from time to time, conduct examinations to test the ability of such applicants. All applicants shall be examined, and examinations shall be public, competitive and, subject to limitations specified by the board as to age, residence, health, height, weight, habits, moral character, and other factors pertinent to ability to discharge the duties of the position, open to all citizens of the United States. Examinations shall be practical in character and shall relate to those matters which test the ability of the persons examined to discharge intelligently the duties of the position for which he applies. In no case shall an appointment be made from an eligible register which is more than two years old, and no eligible register shall be the result of more than one examination.

11. Whenever a vacancy exists in any position in either the fire department or the police department, it shall be filled by appointment of one of the three persons who rank highest on the appropriate eligible register of the board. However, the ranking layoff shall be appointed in every instance. Whenever it is impossible for the board to certify eligible persons to a vacancy, the board may authorize the mayor or department chief to fill the vacancy temporarily pending the establishment of an eligible register. No such authorization may be given for longer than one hundred and twenty days, and no such employee shall have status under this Act. All appointments, other than temporary appointments, shall be probationary for six months from the date of appointment. A probationary employee or officer may be discharged by his department chief for unsatisfactory service at any time before the expiration of that period if the action is approved by the board; a probationary department chief may be discharged similarly by the mayor upon approval by the board. After the expiration of the probationary period, an appointment shall become permanent.

12. A department chief shall have authority to demote any employee or to suspend him for cause. In the event an employee is demoted or suspended, he shall be entitled to a public hearing by the board upon written demand filed within five days from the date of the order of demotion or suspension. A department chief may be similarly suspended or demoted by the mayor and shall have the same right of hearing. If, after hearing, the board deter-

mines that the department chief's or mayor's action was not with cause, the demotion or suspension shall be revoked.

13. No permanent employee or chief shall be removed or discharged except for cause, upon written charges filed with and decided upon by the board, and after an opportunity has been given him to face his accusers and to be heard in his own defense. Charges may be filed by any resident of the city, and the hearing shall be open to the public. The decision of the board shall be reduced to writing and entered in the record. In all proceedings before the board, the city's attorney may appear and represent the interest of the city when requested to do so by the board. The board and its specially authorized representatives shall have the power to administer oaths, take depositions, certify official acts, and issue subpoenas to compel the attendance of witnesses and production of papers necessary as evidence in connection with any hearing, investigation, or proceeding within the purview of this Act. In case a person refuses to obey such subpoena, the board or its representative may invoke the aid of any circuit court in order that the testimony or evidence be produced. Upon proper showing, such court shall issue a subpoena or order requiring the person to appear before the board or its representative and produce all evidence and give all testimony relating to the matter in issue. A person who fails to obey such subpoena order may be punished by the court as for contempt. The fees of witnesses for attendance and travel shall be the same as fees for witnesses in the circuit courts of this State, which fees shall be paid from the city treasury.

14. No employee or chief shall make, solicit or receive any assessment, donation, subscription, or contribution for any political purpose whatsoever, or be a member of a committee or an officer of a political party, or take any part in its management or affairs except to exercise his right as a citizen to express his opinion and cast his vote; no employee or chief shall receive any appointment or advancement as a reward for his support of a candidate for office or political party; nor shall he be dismissed, suspended, or reduced in rank or pay as punishment for his failure to support any candidate for political office.

15. Any person in the service of the city by appointment under civil service rules or regulations who willfully violates any of the provision of this Act, or any rule or regulation issued in pursuance thereof, shall be dismissed from the service of the city and shall not be reappointed for two years.

Section 16. This Act shall take effect immediately upon its passage and approval by the Governor.

J. W. BRASSELL,
Representative.

STATE OF ALABAMA RUSSELL COUNTY

Before me, a Notary Public, in and for said County, in said State, personally appeared Isabel A. Moses, who being known to me, after first having been duly sworn, deposes and says:

That she is the Publisher of the Phenix-Girard Journal, a newspaper published in Phenix City, Russell County, Alabama and having general circulation in said county and that the attached notice of the intention to apply for the passage of a local law affecting said Russell County was published in said newspaper once a week for four consecutive weeks in its issues of March 7th, March 14th, March 21st and March 28th, 1947; that said newspaper was printed all in Alabama and published in Russell County, Alabama, and is printed in the English language and has a general circulation in said County of Russell in which it is published and said newspaper had been mailed under the second class mailing privileges of the United States Post-Office in Phenix City Alabama, where it is published, for Fifty-two weeks prior to the first publication of said notice in said newspaper.

ISABEL A. MOSES,
Publisher.

Sworn to and subscribed before me this the 28th day of April, 1947.

(SEAL) ISAAC I. MOSES,
Notary Public, Russell County, Alabama.

By Mr. Brassell:

H. 121. To amend Section 29 of Title 13 of the 1940 Code, which relates to the salaries of justices of the Supreme Court.

Ways and Means.

By Mr. Brassell:

H. 122. To amend Section 103 of Title 13 of the 1940 Code, which relates to the salaries of judges of the Court of Appeals.

Ways and Means.

By Mr. Brassell:

H. 123. Supplemental to Chapter 2 of Title 34 of the Code of Alabama of 1940 which relates to divorce: authorizing circuit courts in equity to divorce persons from the bonds of matrimony for incompetability.

Judiciary.

By Messrs. Cole & Brassell (with notice and proof):

H. 124. To repeal an Act approved September 9, 1927, entitled "An Act to provide for the establishment and creation of a water-works Commission for the City of Phenix City: To prescribe their number and provide for their election or appointment, and prescribe their terms of office: To prescribe their qualifications; To prescribe their oath of office; To fix said Commission's duties and powers: To provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties: To prescribe and fix the meetings of said Commission: To prescribe the name of said Commission: To fix the bond of the Clerk and Treasurer of said Commission: To provide for and prescribe the duties and powers of said Commission; To provide for the employees of said Commission: To prescribe the manner of execution of contracts by said Commission: To provide a seal for said Commission: To provide that said Commission may make temporary loans: To provide for an Attorney for said Commission: To provide for the establishment of an office by said Commission: To provide for the auditing of the books and accounts of said Commission and the making of reports of the financial condition of said Commission to the governing authorities of said City of Phenix City, and to repeal all laws in conflict herewith.

Local Legislation.

Notice & Proof H. 124:

Notice is hereby given that application will be made to the Legislature of Alabama, at its 1947 session for the passage of the following local Act:

A BILL
TO BE ENTITLED
AN ACT

To repeal an Act approved September 9, 1927, entitled "An Act to provide for the establishment and creation of a water-works Commission for the City of Phenix City: To prescribe their number and provide for their

election or appointment, and prescribe their terms of office; to prescribe their qualifications; To prescribe their oath of office; To fix said Commission's duties and powers; To provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties; To prescribe and fix the meetings of said Commission; To prescribe the name of said Commission; To fix the bond of the Clerk and Treasurer of said Commission; To provide for and prescribe the duties and powers of said Commission; seal for said Commission; to provide that said Commission may To provide for the employees of said Commission; To prescribe the manner of execution of contracts by said Commission; to provide a make temporary loans; To provide for an attorney for said Commission; To provide for the establishment of an office of said Commission; To provide for the auditing of the books and accounts of said Commission and the making of reports of the financial conditions of said Commission to the governing authorities of Said City of Phenix City, and to repeal all laws in conflict herewith.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That an Act entitled "An Act to provide for the establishment and creation of a water-works Commission for the City of Phenix City: To prescribe their number and provide for their election or appointment, and prescribe their terms of office: To prescribe their qualifications: To prescribe their oath of office: To fix said Commission's duties and powers: To provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties: To prescribe and fix the meetings of said Commission: To prescribe the name of said Commission: To fix the bond of the clerk and treasurer of said Commission: To provide for and prescribe the duties and powers of said Commission: To provide for the employees of said Commission: To prescribe the manner of execution of contracts by said Commission: To provide a seal for said Commission: To provide that said Commission may make temporary loans: To provide for an attorney for said Commission: to provide for the establishment of an office by said Commission: To provide for the auditing of the books and accounts of said Commission and the making of reports of the financial condition of said Commission to the governing authorities of said City of Phenix City and to repeal all laws in conflict herewith" approved September 9, 1927, be and the same is hereby repealed.

STATE OF ALABAMA RUSSELL COUNTY

Before me, a Notary Public, in and for said County, in said State, personally appeared Isabel A. Moses, who being known to me, after first having been duly sworn, deposes and says:

That she is the Publisher of the Phenix-Girard Journal, a newspaper published in Phenix City, Russell County, Alabama and having general circulation in said County and that the attached notice of the intention to apply for the passage of a local law affecting said Russell County was published in said newspaper once a week for four consecutive weeks in its issues of February 21st, February 28th, March 7th and March 14th, 1947; that said newspaper was printed all in Alabama and published in Russell County, Alabama, and is printed in the English language and has a general circulation in said County of Russell in which it is published and said newspaper had been mailed under the second class mailing privileges of the United States Post-Office in Phenix City, Alabama where it is published for fifty-two weeks prior to the first publication of said notice in said newspaper.

ISABEL A. MOSES,
Publisher.

Sworn to and subscribed before me this the 2nd day of May 1947.

(SEAL)

ISAAC I. MOSES,
Notary Public.

By Messrs. Cole and Brassell (with notice and proof):

H. 125. To create a hospital commission for the City of Phenix City, Alabama, to provide its duties, powers and authority to operate hospitals and to provide a plan for hospitalization by collection of fees on a weekly or monthly basis from those desiring hospital service.

Local Legislation.

Notice and Proof H. 125:

NOTICE

Notice is hereby given of the intention to apply for the introduction and passage of Local Bill for Russell County, at the 1947 Session of the Alabama Legislature, said local bill to be substantially as follows:

A BILL TO BE ENTITLED AN ACT

To create a hospital commission for the City of Phenix City, Alabama, to provide its duties, power and authority to operate hospitals and to provide a plan for hospitalization by collection of fees on a weekly or monthly basis from those desiring hospital service.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That there be and is hereby created a hospital commission of the City of Phenix City, Alabama, to be composed of five members to be selected by the Board of Commissioners of the City of Phenix City, Alabama or the governing body of said City, each of whom shall hold office until their successors are elected or appointed and qualified one member of said commission shall serve for a period of one year, one for a period of two years, one for a period of three years, one for a period of four years and one for a period of five years from the date of their appointment and their successors shall serve for a term of five years, each of whom shall be selected by the governing body of said City upon the expiration or termination of the term of office of those first chosen, each of whom shall take the oath of office prescribed under the laws of the State of Alabama for persons holding public office before entering upon the discharge of their duties. No member of said hospital commission shall hold any other public office.

Section 2. Said Commission shall have power and authority to construct, equip and operate a city hospital or hospitals within the City limits of said City and the police jurisdiction thereof in Russell County, Alabama, and all hospitals which have heretofore been constructed or acquired by the City of Phenix City, Alabama, shall be operated by said Commission and it shall be the duty of the governing body of said City of Phenix City, Alabama, to deliver over to said hospital commission all hospital facilities owned by said City immediately upon the appointment of said hospital commission. In carrying out the provisions of this Act said hospital commission of said City shall have the exclusive right to employ all of the personnel necessary to operate said hospital facilities and each of said employees shall serve at the will of said commission.

Section 3. That all contracts for the construction, extension or equipping of hospitals shall be done by contract being let, after publishing notice of the intention thereof, by publication once a week for two successive weeks in a newspaper published in Russell County, Alabama, stating that sealed bids will be accepted by said Commission, the time the same will be accepted

and the purpose thereof and all contracts let for the construction and equipping of the hospital or the purchasing of equipment shall be let to the lowest bidder and where work is required to be done shall extend over a period of more than Thirty days, said commission shall take a performance bond therefor in such amount and conditioned according to law for the performance of said contract or contracts.

Section 4. That said hospital commission shall have complete authority to permit persons desiring hospitalization to subscribe to weekly or monthly plan of payment for the hospital service, each of whom shall be entitled to a certificate or receipt of the payment and for what period of time said service shall be available for said payment of said fees or compensation and in determining the rate of fees or compensation to be charged by it for said hospital, said commission may determine upon the family group plan or individual fee plan or both, whichever in its own judgment may seem to be to the best interest of said City and may secure the service of an actuary and such expert advisers as are necessary and proper to fix the rate to be charged for said service and in determining the rate or fees of said hospital shall obtain for the carrying out of the provisions of this section of said Act said hospital commission is authorized to employ such persons as are necessary and proper to put plan in force and effect and to collect the payments to be made under said plan of hospitalization.

Section 5. That said hospital commission shall have authority to accept gifts for endowment, operation and maintenance of said hospital and for the carrying out of the provisions of this act; and shall have full power and authority to manage, control, maintain and operate hospitals, health clinics, and nurse training schools in connection with the operation of said hospitals, all for the City of Phenix City, Alabama, as fully and completely as is now or may hereafter be authorized by law for municipalities in Alabama.

Section 6. Said Commission shall not have authority to sell or convey real estate acquired by the City of Phenix City, Alabama, for hospital purposes without the consent or approval of the Board of Commissioners of the City of Phenix City, Alabama, or governing body of said City.

Section 7. Should any part of this act be declared unconstitutional or invalid, for any reason, the remaining portion thereof shall continue and remain in full force and effect.

Section 8. All laws or parts of laws in conflict herewith be and the same are hereby expressly repealed.

Section 9. Said Act shall become effective upon its passage and approval by the Governor.

STATE OF ALABAMA RUSSELL COUNTY

Before me, a Notary Public in and for said County, in said State, personally appeared Isabel A. Moses, who being known to me, after first having been duly sworn, deposes and says:

That she is the Publisher of the Phenix-Girard Journal, a newspaper published in Phenix City, Russell County, Alabama, and having general circulation in said County and that the attached notice of the intention to apply for the passage of a local law affecting said Russell County was published in said newspaper once a week for four consecutive weeks in its issues of March 21st, March 28th, April 4th and April 11th, 1947; that said newspaper was printed all in Alabama and published in Russell County, Alabama, and is printed in the English language and has a general circulation in said County of Russell in which it is published and said newspaper had been mailed under the second class mailing privileges of the United States Post-Office in Phenix City, Alabama where it is published for fifty-two weeks prior to the first publication of said notice in said newspaper.

ISABEL A. MOSES,
Publisher.

Sworn to and subscribed before me this the 2nd day of May 1947.

(SEAL)

ISAAC I. MOSES,
Notary Public.

By Messrs. Ganey and Leonard:

H. 126. To submit to the qualified voters of the State of Alabama, at the next general election succeeding the present Legislature, for their consideration an amendment to the Constitution of Alabama so as to authorize and empower the Legislature of Alabama, from time to time, by general or local laws to fix, regulate and alter the fees, commission, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessor, Tax Collector, Probate Judge, Circuit Clerk, Sheriff and Register of the Circuit or Chancery Court, in Talladega County, Alabama.

The above and foregoing Bill H. 126 proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Merrill:

H. 127. To amend Section 414 of Title 17 of the 1940 Code of Alabama, which relates to meetings of political parties for the purpose of nominating candidates for public office and selecting delegates, representatives, and officers, by providing that such meetings shall be held the first Tuesday in May in even-numbered years.

Constitution and Elections.

By Mr. Merrill (with notice and proof):

H. 128. To allow the Sheriff of Cleburne County, Alabama, two additional deputies; to provide for the fixing of the salaries of said deputies and to make the same payable out of the General Funds of Cleburne County in monthly installments.

Local Legislation.

Notice and Proof H. 128:

NOTICE

is hereby given that a bill will be introduced in the Legislature of Alabama during the 1947 Session thereof, which bill is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To allow the Sheriff of Cleburne County, Alabama, two additional deputies; to provide for the fixing of the salaries of said deputies and to make the same payable out of the General Funds of Cleburne County in monthly installments.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION ONE: That the Sheriff of Cleburne County, Alabama, is hereby allowed two additional deputies to the deputy now provided by law, which said deputies shall receive a salary to be fixed by the Court of County Commissioners of Cleburne County, Alabama, and payable in twelve equal

monthly installments out of the General Funds of said County; that said deputies shall be eligible to perform the duties of deputy sheriff anywhere in said county.

SECTION TWO: That on the first day of each month, a statement of the name and amount due each said deputy sheriff shall be furnished to the Court of County Commissioners by the Sheriff, and it shall thereupon be the duty of said Court to order a warrant drawn upon the General Fund of the County payable to said each deputy sheriff for the amount of one month's salary as hereinabove provided.

SECTION THREE: Any salaries heretofore paid additional deputies are hereby ratified.

SECTION FOUR: If any section or provision or part of this Act shall be declared unconstitutional for any reason, the remainder of this Act shall not be effected thereby.

SECTION FIVE: That all laws or parts of laws in conflict with this Act are hereby repealed.

SECTION SIX: That this Act shall take effect upon its passage and approval by the Governor.

STATE OF ALABAMA CLEBURNE COUNTY

Before me, Myrl Wager, a Notary Public and Ex-Officio Justice of the Peace, in and for said State and County, this day personally appeared Dan W. Hollis Jr., who being by me first duly sworn, deposes and says that he is the Publisher of The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama; that the above and foregoing notice was published once a week for four consecutive weeks in The Cleburne News, on to-wit: April 3, 1947, April 10, 1947, April 17, 1947 and April 24, 1947.

DAN W. HOLLIS, JR.,

Publisher of The Cleburne News.

Sworn to and subscribed before me this the 5th day of May, 1947.

MYRL WAGER,

(SEAL) Notary Public and Ex-Officio Justice of the Peace,
Cleburne County, Alabama.

RESOLUTION

The following resolution was introduced:

By Mr. Crocker:

H.J.R. 5. BE IT RESOLVED by the House, the Senate concurring, that the expenses of members of the Legislature be fixed at ten dollars (\$10.00) per day.

On motion of Mr. Crocker the rules were suspended and H.J.R. 5 was adopted.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor relative to the State Budget.

Respectfully submitted

O. H. FINNEY, JR.

Executive Secretary

May 6, 1947

MESSAGE FROM THE GOVERNOR

TO THE LEGISLATURE OF ALABAMA:

By authority of Section 123 of the Constitution of Alabama, 1901, and pursuant to the requirements of Article 3, Title 55, Sections 93 through 99 of the Code of Alabama of 1940, I respectfully submit the State Budget for the ensuing biennium, beginning October 1, 1947, and ending September 30, 1949. This Budget contains information and data necessary for the General Appropriation Bill and for the Special Educational Trust Fund Appropriation Bill; also information relative to other funds arising through special taxes or fees which are allocated to special agencies, commissions or boards.

The Budget herewith submitted conforms to requirements of Section 94, and includes the three parts therein required; viz,

Part 1. The Governor's Budget Message.

Part 2. Recommendations for appropriations to meet the expenditure need for the government from every fund, general and special.

Part 3. Appropriation bills.

In this Budget I have made no recommendations for new tax measures. It is my opinion that by proper adjustment of our present tax structure, as contemplated in this budget, the revenue of the State will be adequate to meet the minimum requirements of our State government during the next two years. I do have in mind to place in your hands for introduction, certain bills which will make available more funds for the State's use in its budget. These measures are largely corrections of our present revenue system by bringing about a better enforcement of the present law. I herewith enumerate these changes, and give you the estimated results that will be accomplished:

1. Remove from the Sales Tax Exemptions (Title 51, Section 755, (1) all articles containing tobacco as enumerated in and taxed under Title 51, Section 718 of the Code, as amended. By this removal of exemption, enforcement of the provisions of the sales tax laws will be made much more efficient.

2. Equalize the tax on cigars with the tax on other tobacco products by restoring the tax rate that existed prior to the Acts of the Legislature of 1945. This measure will eliminate discrimination in the amount of tax levied on like products.

3. Eliminate from the Sales Tax Exemptions (Title 51, Section 755, (e) the gross proceeds of sales of alcoholic or cereal beverages, except sales at State Alcoholic Beverage Control Stores. The elimination of this exemption will make for better enforcement of sales tax laws.

4. Eliminate from the Sales Tax Exemptions (Title 51, Section 755, (p) the gross proceeds of sale or sales of used automotive ve-

hicles. The elimination of this exemption will make for better enforcement.

5. Amend Title 51, Section 752, so as to provide that gross proceeds or gross receipts, as defined, shall include the value of any goods, wares, merchandise or property withdrawn or used from the established business or from the stock in trade or the established reserves for consumption or use in such business, otherwise, by the owner of such business or by any other person. This amendment will correct discrimination.

6. Remove the income tax exemption for federal income tax paid. (Title 51, Sections 385 and 402). The Revenue Department estimates that the elimination of this exemption will result in a net gain in the State income tax revenue of approximately \$6,000,000. The actual net cost to the tax payers of the State would, however, approximate only \$1,500,000. This unique situation is caused by the corresponding Federal exemption from income tax paid to the State. If this \$6,000,000 is appropriated to Public Welfare purposes the matching of Federal funds will produce approximately \$12,000,000 for Alabama's needy people for the original net cost of \$1,500,000. This is recommended below.

This Budget will give you adequate information regarding the condition of the Treasury, the debt of the State, the appropriations of past years, the actual revenue collected in such years, amounts used by agencies and departments of government to which appropriations were made the past biennium, and suggested appropriations to carry on the State's services during the next two years.

UTILIZATION OF THE INCOME TAX

On September 30, 1947, there will be approximately \$26,000,000 in the State Treasury to the credit of the Income Tax Fund. I recommend that a Constitutional amendment to be submitted to the people to provide this accumulated surplus to be used as follows:

1. That an irrevocable Sinking Trust Fund be set up in an amount sufficient to cover principal and interest to maturity on Warrant Refunding (Income Tax) bonds. (\$12,249,860)

2. That there be set aside in the same fund the amount now in the Old Bonded Debt (Carpet Bag) Sinking Fund together with an additional \$670,000.00 from the income tax surplus to partially provide for retirement of the Old Bonded Debt (Carpet Bag) Bonds at maturities.

3. The balance to be appropriated to the Alabama State Building Commission for capital outlay for educational purposes, provided, however, that not more than twelve per cent of such amount shall be expended for higher institutions and the balance for public schools. (Estimated \$13,000,000)

4. The Treasurer of the State of Alabama, with the approval

of the Governor, should be authorized to invest the above described Sinking Trust Fund in United States government securities.

I recommend the amendment submitted provide that future proceeds from income tax beginning October 1, 1947, together with the earnings from investment of the funds (Estimated \$15,170,000) in the above Sinking Trust Fund be appropriated as follows:

1. To replace the revenue lost to the several funds by reason of the exemption of homesteads from State ad valorem tax. (Estimated \$1,500,000)

2. The next \$670,000.00 from the receipts to this fund shall be deposited annually in the above mentioned irrevocable trust sinking fund until such amount has accumulated as will be necessary to retire the Old Bonded Debt (Carpet Bag) Bonds.

3. The next six and half million from the above mentioned proceeds shall be transferred to the Alabama Special Educational Trust Fund and earmarked for payment of public school teachers salary. (Estimated \$6,500,000)

4. The next \$6,500,000.00 of the proceeds shall be used for the State and counties part in matching Federal Public Welfare assistance programs for aged and other needy persons.

5. All residue of the proceeds after above mentioned appropriations shall be divided equally between Education and Welfare for the purposes heretofore set out.

At the meeting of the Organizational Session of the 1947 Legislature, I recommend that provisions be made for the setting up of Interim Committees of the Legislature to assist the Executive Office in analyzing the needs of the State and in determining the adequacy of our present revenue laws to carry out the functions of our government. To the Interim Committees fell the responsibility of making a careful study of the financial condition of the State and of the laws having to do with taxation. This Budget represents a composite recommendation of these committees.

All departments and activities of the State were requested to submit their budgets to the Department of Finance and to the Interim Committee on Finance and Taxation. Those requests are itemized herein, together with the recommendations for the biennium appropriations. The appropriation bills which are to be found in Part III of this report will carry out the Budget as submitted and will authorize a large expansion of our major State services, especially schools and welfare, and is conservative in that it places no great burden on the people of the State by new taxes. As the need arises, from time to time. I shall expect to submit additional information to you with regard to the State's fiscal affairs.

I commend this Budget to you, and recommend the enactment of laws putting it into effect for the next ensuing biennium.

Respectfully submitted,

JAMES E. FOLSOM

Governor

May 6, 1947.

COPY OF BUDGET IN DEPARTMENT OF
ARCHIVES AND HISTORY

A copy of the Budget mentioned in the foregoing Message from the Governor can be found in the State Department of Archives and History.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Snodgrass:

H.J.R. 6. BE IT RESOLVED by the House, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet Thursday, May 8th at Ten o'clock A.M.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 6 was adopted.

By Mr. Benford:

H.J.R. 7. WHEREAS the Constitution of the State of Alabama provides that Representation in the Legislature of Alabama shall be reapportioned following each Decennial Federal Census, and

WHEREAS the representation has not been reapportioned since the 1940 Federal Census, and

WHEREAS the Constitution of the State of Alabama makes it the duty of the Legislature to make such reapportionment as provided therein, and

WHEREAS the members of the Legislature, in their oath of office, swore to perform the duties of the office and support the Constitution of the State of Alabama,

NOW THEREFORE BE IT RESOLVED by the House of Representatives, the Senate concurring, that the appropriate committees of the House of Representatives and of the Senate, be and are hereby commanded to have prepared and presented for action to the Alabama Legislature, during the 1947 regular session, a bill providing for reapportionment of representation in the Alabama Legislature as provided by the Constitution of the State of Alabama.

The above and foregoing H.J.R. 7 was read one time and referred to the Standing Committee on Rules.

COMMITTEE APPOINTMENT ANNOUNCED:

The Speaker of the House announced the appointment of Mr. Garrett as Chairman of the Standing Committee on Agriculture to succeed Honorable John F. Hankins, deceased.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution, and returns same herewith to the House:

HJR 6 BE IT RESOLVED by the House, the Senate concurring that when the two Houses adjourn today, they adjourn to meet Thursday, May 8th at Ten o'clock A. M.

J. E. Speight,
Secretary.

ADJOURNMENT

On motion of Mr. Lovelace the House, in accordance with House Joint Resolution 6 heretofore adopted, adjourned until Thursday, May 8, 1947, at 10 o'clock A.M.

SECOND DAY

House of Representatives
Montgomery, Alabama
Thursday, May 8, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Donald C. MacGuire, Pastor of the First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the Roll of the House the following members answered to their names:

| | | | |
|-------------------|-----------------|--------------------|-----------------|
| Mr. Speaker | Bush | Faulk | Ingalls |
| Adams (Dale) | Callahan | Ganey | Inzer |
| Adams (Jefferson) | Cobb | Garrett | Johnston |
| Barnett | Coburn | George | Kaul |
| Beatty | Cole | Gibson | Knight |
| Benford | Cox | Gillis | Larkins |
| Bennett | Crocker | Hankins | Leonard |
| Black | Davis | Harris | Lovelace |
| Brannan | Denton | Harrison | McClendon |
| Brassell | Dobbs (Elmore) | Haynes (Franklin) | McDanal |
| Broadwater | Dobbs (Fayette) | Haynes (Lowndes) | McDonald |
| Brown | Doughty | Head | McGowin |
| Buckner | Dumas | Hornsby | McIlwain |
| Busby | Evans | Howell | Martin |

| | | | |
|----------|------------|------------------|-------------------|
| Mason | Pinkston | Shirley | Thompson (Pike) |
| Mathison | Pinson | Sightler | Tucker |
| Meeks | Pruitt | Snodgrass | Vann |
| Merrill | Ramey | Sullivan | Ward |
| Miller | Richardson | Stone | Weaver |
| Mitchell | Roberts | Taylor (Autauga) | Whitcomb |
| Molette | Rogers | Thagard | White (Covington) |
| Nelson | Sadler | Thomas | White (Perry) |
| Nettles | Sellers | Thompson | Wood (Bibb) |
| O'Neal | Shelton | son (Crenshaw) | Wood (Washington) |

—95

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules has concurred in and adopted, and the Journal for the first legislative day was approved.

RESIGNATION FROM COMMITTEE

Hon. Charles H. Ramey resigned as a member of the Standing Committee on Local Legislation.

COMMITTEE APPOINTMENTS

The Speaker announced the following appointments:

Hon. Charles H. Ramey, Vice-Chairman of the Standing Committee on Transportation, to take the place of Hon. W. W. Wright, resigned; Hon. Harley M. Dobbs of Elmore, Vice Chairman of the Standing Committee on Agriculture; Hon. Jack Hankins, member of the Standing Committee on Agriculture.

RESOLUTION

The following Resolution was introduced:

By Mr. Harris:

H.J.R. 8. BE IT RESOLVED BY THE HOUSE, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 3, 1947, at eleven o'clock, A.M.

BE IT FURTHER RESOLVED, That the members of the House and Senate shall receive pay and expenses during the first four days of the recess but shall not receive pay or expenses for any other days of the recess.

On motion of Mr. Harris, the rules were suspended and H.J.R. 8 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended, as therein shown, and, as amended, has passed the following House Joint Resolution and returns same herewith to the House:

H.J.R. 5. Relative to expense of members of the Legislature.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Crocker the House concurred in and adopted the Senate amendment to the House Joint Resolution 5, said Senate amendment being as follows:

Be it resolved by the House of Representatives, the Senate concurring, that in accordance with the amendment to the constitution proposed by General Act No. 384 of the 1945 Legislature of Alabama and ratified by the people in the November 1946 election each member of the Legislature, in addition to his travel allowance shall be allowed expenses, other than actual expenses of traveling, incurred in the performance of his duties, the sum of \$10.00 per day; and such allowance shall be paid in like manner as the per diem of members of the Legislature.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McIlwain:

H. 129. To amend Section 11 and 12 of Title 28, of the 1940 Code of Alabama.

Judiciary.

By Mr. McIlwain:

H. 130. To amend Section 491 of Title 7, of the 1940 Code of Alabama.

Judiciary.

By Mr. Larkins:

H. 131. To appropriate funds for the use of the Wiregrass Experiment Station at Headland.

Ways and Means.

By Mr. Howell:

H. 132. To amend Section 3, Title 49 of the 1940 Code, which relates to the composition of the State Board of Public Welfare and the terms of members.

Public Welfare.

Mr. Howell (with notice and proof):

H. 133. To fix the salary of the Deputy Solicitor for Calhoun County Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

Local Legislation.

Notice and proof H. 133:

Notice is hereby given that application will be made to the present Legislature the next time that it convenes in regular session for the passage of an act in sustenance as follows:

A BILL, ENTITLED AN ACT

To fix the salary of the Deputy Solicitor for Calhoun County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the salary of the Deputy Solicitor of Calhoun County, Alabama, be, and the same hereby is, fixed at the sum of Thirty-six hundred Dollars per year, payable out of the County Treasury of said County in monthly installments of Three Hundred Dollars each, as provided by law for payment of salaries out of the General Fund of said County.

Section II. That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section III. That this Act shall go into effect immediately upon its passage and approval by the Governor.

BEN S. DORMON, JR.

Mar. 12-19-26; April 2

THE ANNISTON STAR

Anniston, Ala.

Personally appeared before me Ralph W. Callahan, who, being duly sworn, makes oath that he is Business Manager of The Anniston Star, a daily newspaper published in Anniston, Ala., and that the attached notice was published on the following dates: March 12-19-26-April 2, 1947.

RALPH W. CALLAHAN.

Sworn to and subscribed before me this 3rd day of April 1947.

CLARA B. WRIGHT.

Notary Public.

(SEAL)

By Mr. Howell:

H. 134. To provide financial security for the aged; prescribing rules and regulations for making grants of assistance; creating

a Bureau of Old Age Security, to administer the Act; defining its powers and duties; defining violations of the Act and prescribing punishments therefor.

Public Welfare.

By Messrs. White (Covington), Shirley and Thompson (Pike):

H. 135. To amend Section 103 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 313, approved June 28, 1945.

Education.

By Mr. Lovelace:

H. 136. To propose an amendment to the Constitution which will permit every county to levy and collect a tax, not exceeding four mills on each dollar of taxable property, to be used solely for acquiring, constructing, operating, equipping, or maintaining county hospitals, or other public hospitals, nonprofit hospitals and public health facilities; ordering a special election thereon and providing for the payment of the expenses of the election.

The above and foregoing bill H. 136, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Messrs. Roberts, Miller, & Merrill:

H. 137. To authorize counties and municipalities to insure their employees against personal injury or death caused by accident or violence while discharging their duties as such employees.

Local Government.

By Mr. Ramey:

H. 138. An act to authorize and empower operators of passenger stations in Alabama operated by or for the use of any motor transportation company to provide separate waiting rooms, facilities, or space, or separate ticket windows, for the white and colored races; authorizing and empowering motor transportation companies and operators of vehicles, carrying passengers for hire in this state, whether intrastate or interstate passengers, to provide separate accommodations on each vehicle for the white and colored races, to assign or reassign each passenger or person a division, section, or seat on vehicles designated for the race to which the passenger belongs; to make it unlawful for any person willfully to refuse or fail to comply with the reasonable rules, regulations, or directives providing such separate waiting rooms or facilities, or space, or separate ticket windows; and to make it unlawful for any person willfully to refuse or fail to comply with any reasonable assignment or reassignment of seats to passengers or persons on passenger vehicles designated for the race to which such passenger or person belongs; to fix the penalty for the violation of this Act.

Judiciary.

By Mr. Mathison:

H. 139. To repeal all laws and parts of laws which authorize or otherwise relate to absentee voting, including specifically Act 478, approved July 7, 1945, entitled, "An Act To provide for absentee voting in primary, general, and municipal elections; and to prescribe penalties for the violation of any of the provisions of this Act", and Section 8 of Title 17 of the 1940 Code.

Constitution and Elections.

By Mr. Mathison:

H. 140. To provide for the disposition of the lists of voters participating in any election held under the laws of Alabama.

Constitutions & Elections.

By Messrs. Hornsby and Larkins:

H. 141. Supplemental to Act 211, approved July 7, 1945, which gives the State Board of Health and public hospital associations authority to plan, acquire, construct, equip, maintain, and supervise hospitals, health centers, and related facilities for the treatment of disease: appropriating the sum of four million dollars (\$4,000,000.00) to the State Board of Health for the planning and construction of State-owned and other public and nonprofit hospitals in Alabama.

Health.

By Messrs. Gibson, Dumas, Beatty, Meeks, Adams (Jefferson), Sadler, and Kaul:

H. 142. To repeal Act Number 167 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligation holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

Local Legislation.

By Messrs. Gibson, Dumas, Adams (Jefferson), Sadler, Meeks, Beatty, and Kaul:

H. 143. To repeal Act Number 166 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligations holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

Local Legislation.

By Mr. Dumas:

H. 144. To prohibit false and misleading advertising by any licensee under the provisions of Act No. 159, General Laws of Alabama, approved June 23, 1945, entitled "An Act to regulate the business of lending money, to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment of violations of this act, and in order to carry out the purpose of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment," to require that advertising by any such licensee shall clearly and completely state the rate of interest and all other charges for loans to be made by such licensee; to prohibit any such licensee from charging interest or other charges on any loan at a rate or in an amount in excess of the rates and amounts advertised; and to provide penalties for violations of this act.

Business and Labor.

By Mr. Meeks:

H. 145. To amend Section 9 of Title 22 of the 1940 Code of Alabama, as amended July 7, 1943. (Relating to the salary of the State Health Officer.)

Ways and Means.

By Messrs. Sullivan and Stone:

H. 146. To amend Section 46, Title 61 of the Code of Alabama of 1940, as amended by Act No. 153, General Acts of 1945, page 193, approved June 23, 1945, to provide for the Probate and Record in Courts of the State of Alabama of wills previously admitted to probate and record or established in the Courts of other states, territories, districts and countries subject to the jurisdiction of the United States of America, and of foreign countries not subject to the jurisdiction of the United States of America.

Judiciary.

By Messrs. Sullivan, Johnston, and Stone:

H. 147. To provide for the exemption of homesteads in the State of Alabama from certain county ad valorem taxation, and to provide for the effective date of said act.

Ways and Means.

By Messrs. Sullivan, Stone, and Johnston:

H. 148. To amend Section 34 of Title 61 of the Code of Alabama of 1940, as amended by Act No. 196, General Acts of 1945, page 322, approved June 29, 1945, relative to the time limit for probate of wills.

Judiciary.

By Messrs. Bennett, Roberts, and Inzer:

H. 149. To provide compensation for occupational diseases; to provide that disability or death which is proximately caused by a disease arising out of or in the course of employment shall be compensable, notwithstanding its onset or contraction, may be gradual or progressive and not sudden or accidental, to the extent, amount and subject to the same terms, conditions, limitations and exceptions as personal injuries or death in the case of employment covered by the Workmen's Compensation Act are compensable; to provide that compensation for such disability due to occupational disease shall be payable to a disabled employee in accordance with that percentage of total disability in the same ratio as is provided in the Workmen's Compensation Act for the varying degrees of injury or disability; to provide that acceptance or rejection or election of self-insurance against the liabilities herein imposed shall relieve or obligate the employer or employee as the case may be in like manner and to the same effect as an acceptance, rejection, or election would under the Workmen's Compensation Act; to provide that this Act shall impose no liability with respect to any disease contracted more than one year prior to the

date hereof; and to provide that this Act shall be effective upon its approval by the Governor or its otherwise becoming a law.

Judiciary.

By Messrs. Cole & Brassell:

H. 150. To supplement Chapter 3, Title 46 of the 1940 Code, which relates to attorneys at law: providing for the admission of certain persons to the State Bar without an examination.

Judiciary.

By Mr. Head:

H. 151. To amend Sections 95, 96, and 278 and To repeal Section 279 of Title 22 of the 1940 Code of Alabama.

Health.

By Messrs. Ganey and Leonard (with notice and proof):

H. 152. To amend Section 2 of an Act entitled: "An Act To Provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama in supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said Commissioners" Approved February 18, 1927.

Local Legislation.

Notice and Proof H. 152:

NOTICE

Notice is hereby given that application to the Legislature will be made for passage and approval of the following local Act:

AN ACT

To amend Section 2 of an Act entitled: "An Act to Provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama in supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said Commissioners." Approved February 18, 1927.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 2 of an Act entitled "An Act to Provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama in supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said Commissioners," approved February 18, 1927, be and the same is hereby amended so as to read as follows:

"Sec. 2. That each member of the Court of County Commissioners of Talladega County, except the Probate Judge on presentation to the Court of

County Commissioners of a monthly written report, which report shall show road inspections and due diligence on the part of such Commissioner in the performance of his duties, which must be approved by the Commissioners Court, shall receive a monthly salary of One Hundred (\$100.00) Dollars a month, beginning Jan. 20, 1947, which shall be in lieu of all fees, compensation and expenses allowed by law to such Commissioner for services rendered in and about such Commissioners Court, including the work required as members of the Board of Review, the payment of such salary to be made out of the County treasury by warrant drawn by the Probate Judge on the treasury of the County on the first of each month for the preceding month. That the Probate Judge shall receive as compensation for his services as a member of such Commissioners Court the sum of Three (\$3.00) Dollars for each day or part of a day which he shall preside over the sessions of said Court and such actual expense as he may incur in the performance of his duties, said compensation to be paid on the first of each month for the preceding month out of the County treasury by warrant of such Judge drawn on the treasury of the County."

Section 2: This Act shall become effective immediately upon its approval by the Governor.

Section 3: All laws and parts of laws in conflict or inconsistent with this Act be and are hereby repealed, otherwise to remain in full force and effect. 16-23-30-7

THE STATE OF ALABAMA, TALLADEGA COUNTY.

Personally appeared before me, a Notary Public in and for said County, Ila G. Davis, who being duly sworn according to law, deposes and says that she is the Classified Adv. Mgr. of the Talladega Daily Home, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: April 16, 1947, April 23, 1947, April 30, 1947, May 7, 1947.

ILA G. DAVIS.

Subscribed and sworn to before me this 31st day of May 1947.

ELEANOR MORRIS,
Notary Public.

(SEAL)

By Mr. Coburn:

H. 153. To amend an Act "To amend Section 199 of Title 22 of the 1940 Code of Alabama relating to the care of patients with tuberculosis," approved July 8, 1943.

Health.

By Mr. Buckner:

H. 154. To supplement Chapter 1, Title 34 of the 1940 Code, which relates to marriage, by prescribing a waiting period before marriage after issuance of the license to marry; making a violation of the Act a misdemeanor.

Judiciary.

By Messrs. Larkins and Adams (Dale):

H. 155. To provide for the manufacture or purchase and distribution and sale of anti-hog cholera serum and hog cholera virus by the Department of Agriculture and Industries: prescribing the manner of purchase and distribution and sale of such serum and virus; regulating the use thereof through licensure; appropriating

to the Department of Agriculture and Industries for purposes of the Act; and providing penalties for violations of the Act.
Agriculture.

BILLS ON SECOND READING

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Roberts:

H. 24. To amend Section 251 of Title 29 of the 1940 Code of Alabama, which relates to the distribution and disposition of funds derived from the sale of contraband or forfeited property under the "Alcoholic Beverage Control Law."

By Mr. Evans:

H. 18. To Amend Section 179, of Title 13, of the Code of Alabama of 1940.

By Mr. Merrill:

H. 16. To amend Section 36 of Title 34 of the Code of Alabama of 1940.

By Mr. Wood (Bibb):

H. 4. Amending Section 2, Title 36 of the 1940 Code, which relates to penalties for operation of motor vehicles upon the highways by persons who are habitual users of narcotic drugs or who are intoxicated.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Ganey and Mr. Leonard:

H. 126. To submit to the qualified voters of the State of Alabama, at the next general election succeeding the present Legislature, for their consideration an amendment to the Constitution of Alabama so as to authorize and empower the Legislature of Alabama, from time to time, by general or local laws to fix, regulate and alter the fees, commission, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessor, Tax Collector, Probate Judge, Circuit Clerk, Sheriff, and Register of the Circuit or Chancery Court, in Talladega County, Alabama.

The above and foregoing bill H. 126, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Malone:

H. 110. To amend Section 54, Title 17, Code of Alabama 1940, and to further prescribe the duties of the boards of registrars of the several counties of the State.

By Messrs. Lovelace, Barnett, and Evans:

H. 31. To amend Section 198 of Title 17 of the 1940 Code of Alabama, which provides for the compensation of election officers.

By Mr. Broadwater:

H. 85. To propose an amendment to the Constitution of Alabama relative to regulating the costs and charges of courts and the fees, commissions, allowances, and salaries of certain public officers of Limestone County.

The above and foregoing bill, H. 85, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Thomas, Vice-Chairman on the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Bennett and Howell:

H. 17. To authorize the Board of Revenue of Calhoun County, Alabama to purchase radios, machine guns, ammunition, and any other equipment that the said Board of Revenue may deem necessary for proper law enforcement for the use of the Sheriff of Calhoun County.

By Mr. Evans:

H. 22. To amend Section 2 of Act 156, Local Acts, 1927, entitled, "To provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office", approved July 15, 1927, by changing the annual salary of the County Superintendent of Education of Choctaw County from twenty-five hundred dollars to thirty-six hundred dollars.

By Mr. Evans:

H. 21. To provide further for the registration and payment of claims against the fine and forfeiture fund of Choctaw County which were outstanding on June 9, 1945.

By Messrs. Shelton and Callahan:

H. 47. To amend Sections 10 and 11 of an Act approved August 3, 1927, entitled an Act to establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tus-

caloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court.

By Messrs. Stone, Johnston, and Sullivan:

H. 91. To apply only in Counties of the State having a population of not less than 143,500 nor more than 400,000 according to the last or any subsequent Federal census; and to provide for the appropriation by all Cities and Towns in such Counties of an amount equal to one-half ($\frac{1}{2}$) of one percent of the assessed value of all real and personal property in such Cities and Towns to the County School Board or Board of Education therein.

By Messrs. Cole and Brassell:

H. 117. To amend Section 2 of an Act approved May 28, 1943, fixing the salary of the Deputy Circuit Clerk of Russell County, Alabama, and providing the method of payment thereof.

By Messrs. Cole and Brassell:

H. 118. To establish for the municipality of Phenix City a pension and relief system for the benefit of fireman and policeman: creating for that purpose a fund, the revenues of which shall be derived from deductions from the salaries of participating firemen and policemen, from contributions made by the city, from fees, donations, rewards, and gratuities paid participating firemen and policemen for special services, from the annual privilege license tax on fire and marine insurance companies, from receipts by the city of income from contraband liquor, and from penalties, forfeitures, gifts, and other sources; imposing specific duties upon the city clerk and city attorney in connection with the administration of the Act; and prescribing penalties for violations.

By Messrs. Cole and Brassell:

H. 119. To authorize the Sheriff of Russell County to appoint an additional deputy sheriff; to fix the salary of the deputy, and to require him to give bond.

By Messrs. Cole and Brassell:

H. 120. To provide for the municipality of Phenix City a civil service system governing the appointment removal, salaries, tenure, and official conduct of employees and officers of the police and fire departments of the city, defining violations of the Act, and imposing penalties for violations.

By Messrs. Cole and Brassell:

H. 124. To repeal an Act approved September 9, 1927, entitled "An Act to provide for the establishment and creation of a water-works Commission for the City of Phenix City: To prescribe their number and provide for their election or appointment, and prescribe their terms of office: To prescribe their qualifications; To prescribe their oath of office; To fix said Commission's duties and powers: To provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties: To prescribe and fix the meetings of said Commission: To prescribe the name of said Commission: To fix the bond of the Clerk and Treasurer of said Commission: To provide for and prescribe the duties and powers of said Commission; To provide for the employees of said Commission: To prescribe the manner of execution of contracts by said Commission: To provide a seal for said Commission: To provide that said Commission may make temporary loans: To provide for an Attorney for said Commission: To provide for the establishment of an office by said Commission: To provide for the auditing of the books and accounts of said Commission and the making of reports of the financial condition of said Commission to the governing authorities of said City of Phenix City, and to repeal all laws in conflict herewith.

By Messrs. Cole and Brassell:

H. 125. To create a hospital commission for the City of Phenix City, Alabama, to provide its duties, powers and authority to operate hospitals and to provide a plan for hospitalization by collection of fees on a weekly or monthly basis from those desiring hospital service.

By Mr. Merrill:

H. 128. To allow the Sheriff of Cleburne County, Alabama, two additional deputies; to provide for the fixing of the salaries of said deputies and to make the same payable out of the General Funds of Cleburne County in monthly installments.

By Mr. Martin:

H. 43. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Greene County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Meeks:

H. 73. To amend Section 90, Article 2, Chapter 3, Title 36, Code of Alabama of 1940.

By Mr. Pinson:

H. 109. To amend Section 29 of Title 60, Code of Alabama 1940, as amended by an Act approved May 15, 1943, entitled, "An Act to amend Sections 29 and 35 of Title 60 of the 1940 Code of Alabama."

By Messrs. Johnston, Brown, Larkins, Wallace, McGowin, Gibson and Buckner:

H. 95. To Amend Section 776, Title 51, Article 10, Chapter 20, Code of Alabama 1940.

By Messrs. Johnston, Gibson, Larkins, Brown, Busby, Buckner, and McGowin:

H. 96. To prohibit the further issuance and sale of sales tax tokens; to provide for and require the redemption of tokens currently circulating in Alabama; and to make an appropriation for the payment of expense incurred thereby.

By Messrs. Johnston, Gibson, Shelton, Brown, Larkins, Wallace, Busby, Buckner, McGowin:

H. 101. To provide for the transfer of \$150,000.00 in the State Treasury to the credit of the Tax Token Redemption Fund for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Alabama Special Educational Trust Fund.

By Mr. Haynes (Franklin):

H. 34. To amend Section 728 of Title 51 of the 1940 Code, which relates to discounts allowed on sales of tobacco tax stamps, by reducing the discount from ten to five per cent.

Mr. Wood (Washington), Chairman of the Standing Committee on Conservation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Messrs. Johnston, Sullivan and Stone:

H. 89. To enable the State of Alabama to enter into a compact with other states for the purpose of promotion and better utilization of the fisheries of the Gulf of Mexico to be known as the Gulf States Marine Fisheries compact to provide for representatives to the commission created thereby, and to provide an appropriation therefor.

The above and foregoing bills were severally read a second time and placed on the Calendar.

RESOLUTION

The following Resolution was introduced:

By Mr. Busby:

H.J.R. 9. BE IT RESOLVED BY THE HOUSE, the Senate concurring, that the Honorable Edward F. Taylor and the Honorable Edward Pettus be and they are hereby extended thanks for the most excellent barbecue dinner and all of the trimmings, which they gave in honor of the members of the Legislature during the Organizational Session, and which was enjoyed by many of the members.

BE IT FURTHER RESOLVED THAT the Clerk of the House of Representatives send a copy of this Resolution to the Honorable Edward F. Taylor and the Honorable Edward Pettus.

On motion of Mr. Busby the rules were suspended and H.J.R. 9 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

S.J.R. 5. BE IT RESOLVED by the Senate, the House concurring, that the expenses of a Consultant or Statistician to serve the Senate Committee on Finance and Taxation and the House Committee on Ways and Means shall be paid upon the voucher approved by the Chairman of either of said committee. Said expense reimbursement shall not exceed the amount paid Legislators for expenses.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the S.J.R. 5 set out in the above and foregoing message from the Senate, was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 9. Relative to thanking Honorable Edward F. Taylor and Honorable Edward Pettus for dinner and barbeque given the Legislature.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 4. Relative to extending invitation to the Honorable Miguel Aleman, President of the Republic of Mexico to address the Legislature of Alabama.

And the President and Presiding Officer of the Senate, has appointed as Committee on the part of the Senate, Mr. Clayton.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and as amended, has adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 8. Relative to adjournment of the two Houses until June 3, 1947 at 11 o'clock A.M.

J. E. Speight,
Secretary.

SENATE MESSAGE

The motion of Mr. Martin to lay on the table the motion of Mr. Harris to non-concur in the Senate amendment and request a Committee of Conference, was lost, said Senate amendment being as follows:

Amend H.J.R. 8 by striking therefrom the second paragraph thereof, which paragraph starts with the words "Be it Further Resolved" and ends with the words, "days of the recess."

Amend H. J. R. 8 as amended by adding after paragraph 1 the following paragraph: "BE IT FURTHER RESOLVED, that the members of the Legislature be allowed no per diem or expenses during the period of such recess."

And the motion of Mr. Harris to non-concur in the Senate amendment and request a Committee of Conference on the disagreement of the two houses on the Senate Amendment to H.J.R. 8, was adopted.

And the Speaker named as the Committee of Conference on the part of the House, Messrs. Snodgrass, Harris and Sullivan.

REPORT OF THE RULES COMMITTEE ON ENGROSSED
AND ENROLLED BILLS

Mr. Speaker:

Your Rules Committee reports that it has examined the following House joint resolution:

H.J.R. 5. Relative to the Expenses of the Members of the Legislature, and find same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following S.J.R. No. 5, your signature thereto is requested:

By Mr. Henderson:

S.J.R. 5. Relative to: The expenses of a Consultant or Statistician expense reimbursement shall not exceed the amount paid Legislators for expenses.

J. E. Speight,
Secretary.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the Two Houses on the Senate amendment to the Resolution:

H.J.R. 8. Relative to adjournment of two houses until June 3, 1947, at 11 o'clock A. M.

And the President and presiding officer of the Senate appointed ' as conferees on part of the Senate Messrs. Lowe, Allen and Hughes.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the Senate amendment to the Resolution:

H.J.R. 8. Relative to the adjournment of the two houses until June 3, 1947, at 11 o'clock A. M.

Said report of Committee of Conference being in words and figures as follows:

CONFERENCE COMMITTEE REPORT

To the President of the Senate:

To the Speaker of the House:

We, your Conference Committee, appointed on the disagreement of the two Houses on the Senate Amendment to House Joint Resolution No. 8 beg leave to report as follows:

1. We recommend that the following be adopted as a substitute for said resolution:

"BE IT RESOLVED By the House, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 3, 1947, at twelve o'clock Noon.

"BE IT FURTHER RESOLVED That the members of the House and Senate shall be limited to receive pay and expenses for only two days of such recess.

"BE IT FURTHER RESOLVED that the clerical forces of both House and Senate receive pay during the entire recess except such part thereof in which the Legislature may be in Special Session."

Respectfully submitted,

JAS. B. ALLEN

R. J. LOWE

J. A. HUGHES

Committee on part of Senate

JOHN M. SNODGRASS

JOSEPH C. SULLIVAN

NORMAN W. HARRIS

Committee on part of House

And said resolution, together with report of Committee on Conference is herewith sent to the House for its consideration.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Harris, the House concurred in and adopted the Report of the Conference Committee on the disagreement of the two Houses on the Senate Amendment to the H. J. R. 8, said report of said Committee of Conference being set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Allen:

S.J.R. 6. BE IT RESOLVED by the Senate, the House concurring that the Secretary of the Senate and Clerk of the House be allowed to appoint five assistants each to be paid the same per diem they are now allowed for the time between this Regular Session and any Special Session convening before June 3, 1947.

J. E. Speight,
Secretary.

SENATE MESSAGE

The S.J.R. 6 set out in the above and foregoing message from the Senate, was read one time and referred to the Standing Committee on Rules.

REPORT OF THE RULES COMMITTEE ON ENGROSSED &
ENROLLED BILLS

Mr. Speaker:

Your Rules Committee reports that it has examined the following House Joint Resolution,

H.J.R. 8. Relative to the adjournment of the Legislature and pay and expenses for the members of the Legislature and clerical forces.

And finds same correctly enrolled.

W. M. BECK,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length have been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:20 P. M. on May 8, 1947.

H.J.R. 5

H.J.R. 8

R. T. Goodwyn, Jr.,
Clerk.

ADJOURNMENT

On motion of Mr. Martin, the House, in accordance with a House Joint Resolution heretofore adopted, adjourned until Tuesday, June 3, 1947, at 12 o'clock, noon.

THIRD DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 3, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. John B. Nichols, pastor of the Methodist Church, Prattville, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | McClendon | Sellers |
| Adams (Dale) | Dumas | McDanal | Shelton |
| Adams (Jefferson) | Evans | McDonald | Shirley |
| Barnett | Faulk | McGowin | Sightler |
| Beatty | Frasier | Malone | Snodgrass |
| Benford | Ganey | Martin | Stewart |
| Bennett | Garrett | Mason | Still |
| Black | George | Mathison | Stone |
| Brannan | Gibson | Meeks | Sullivan |
| Brassell | Gillis | Merrill | Taylor (Autauga) |
| Broadwater | Givhan | Miller | Taylor (Hale) |
| Brown | Hankins | Molette | Thagard |
| Buckner | Harris | Nelson | Thomas |
| Busby | Harrison | Nettles | Thomp- |
| Bush | Haynes (Franklin) | Norman | son (Crenshaw) |
| Callahan | Haynes (Lowndes) | O'Neal | Thompson (Pik-) |
| Cobb | Head | Pinkston | Tucker |
| Coburn | Hornsby | Pinson | Wallace |
| Cole | Ingalls | Pruitt | Ward |
| Cox | Inzer | Ramey | Weaver |
| Crocker | Johnston | Richardson | Whitcomb |
| Davis | Knight | Roberts | White (Covington) |
| Denton | Larkins | Robinson | White (Perry) |
| Dobbs (Elmore) | Leonard | Rogers | Wood (Bibb) |
| Dobbs (Fayette) | Lovelace | Sadler | Wood (Washington) |
| Doughty | | | |

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the second legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. White (Perry):

H.J.R. 10. WHEREAS, the profuse display of flowers in the Capitol has made this magnificent old building appear at its best; and

WHEREAS, this display was made possible by gifts of members of the Floricultural profession of Alabama:

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives, the Senate concurring, that we appreciate this generous donation and indication of the progress made by these progressive firms. We, therefore, send to:

The Hartung Company

Roman J. Claprood & Company

The Hartford Bulb Farms

John G. Evans

Southern Bulb Farms

all of Foley, Alabama, and to Rosemont Gardens of Montgomery and Haygood Paterson, Jr., who so artistically arranged these flowers, our sincere appreciation.

On motion of Mr. White (Perry) the rules were suspended and H.J.R. 10 was adopted.

RECESS

On motion of Mr. Snodgrass the House recessed until two o'clock this afternoon.

AFTERNOON SESSION

The hour of two o'clock, P.M., having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Henderson:

S.J.R. 11. BE IT RESOLVED by the Senate, the House concurring, that when the two houses adjourn today they adjourn to meet again on Friday, June 6th, 1947, at 10 o'clock A. M.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the House concurred in and adopted the Senate Joint Resolution No. 11 set out in the above and foregoing message from the Senate.

Yes 63; Nays 17.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Davis | Lovell | Shirley |
| Adams (Jefferson) | Denton | McClendon | Sightler |
| Barnett | Dobbs (Elmore) | McDanal | Snodgrass |
| Beatty | Duffee | McDonald | Taylor (Autauga) |
| Benford | Dumas | Martin | Taylor (Hale) |
| Bennett | Frasier | Mason | Thagard |
| Black | Ganey | Mathison | Thompson (Crenshaw) |
| Brassell | Garrett | Merrill | Thompson (Pike) |
| Broadwater | George | Nelson | Tucker |
| Brown | Hankins | O'Neal | Wallace |
| Buckner | Haynes (Franklin) | Pinkston | Weaver |
| Busby | Hornsby | Ramey | Whitcomb |
| Bush | Ingalls | Richardson | White (Covington) |
| Callahan | Inzer | Roberts | White (Perry) |
| Coburn | Knight | Sellers | Wood (Washington) |
| Cox | Larkins | Shelton | |

—63

Nays:

| | | | |
|--------------|------------------|----------|----------|
| Messrs.: | Harrison | Norman | Still |
| Adams (Dale) | Haynes (Lowndes) | Pruitt | Stone |
| Brannan | Johnston | Robinson | Sullivan |
| Cole | Malone | Sadler | Ward |
| Faulk | Molette | | |

—17

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Lowe, Henderson, Swift:

S.J.R. 10. WHEREAS, the profuse display of flowers in the Capitol has made this magnificent old building appear at its best; and

WHEREAS, this display was made possible by gifts of members of the Floricultural profession of Alabama:

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama that we appreciate this generous donation and indication of the progress made by these progressive firms. We, therefore, send to:

The Hartung Company
 Roman J. Claprood & Company
 The Hartford Bulb Farms
 John G. Evans
 Southern Bulb Farms

all of Foley, Alabama, and to Rosemont Gardens of Montgomery and Haygood Paterson, Jr., who so artistically arranged these flowers, our sincere appreciation.

J. E. Speight,
 Secretary.

SENATE MESSAGE

The S.J.R. 10 set out in the above and foregoing message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Quarles:

S.J.R. 9. Whereas, The calling of the Alabama National Guard into Federal Service in November 1940 left the State without adequate military protection; and

Whereas, Members of the Alabama State Guard responded loyally and patriotically to the call for their enlistment; and

Whereas, Through their efforts and without compensation of any kind for three and a half years, members of the Alabama State Guard trained themselves into efficient military organizations held in reserve for the protection of life and property of Alabama citizens, disaster relief and the maintenance of law and order in this State throughout World War II; and

Whereas, These fine citizen soldiers have stood ready, at all times to protect the internal security and welfare of our State, and have on numerous occasions voluntarily answered the call to active duty during State emergencies at a sacrifice to themselves in time, money and their business; and

Whereas Most of these loyal and patriotic members of the Alabama State Guard remained with their units for approximately six years and until the deactivation of the State Guard, now in process, to be replaced by the Alabama National Guard; now,

therefore, be it Resolved by the Senate, the House of Representatives concurring, that the wholehearted gratitude and appreciation of the government of Alabama is hereby extended to each and every present and former member of the Alabama State Guard for his loyal, patriotic and unselfish attention to duty and support of the welfare of the State of Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

The S.J.R. 9 set out in the above and foregoing message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S.J.R. 8. WHEREAS, the huge reduction in the 1947 Agricultural Conservation Program funds from \$301,720,000 to \$165,614,290, and the reduction in other agricultural appropriations, recommended by the House Appropriations Committee in Washington, has halted practically all Production and Marketing Administration (AAA) activities in Alabama. Preliminary estimates recently made by PMA show that funds already obligated will equal or exceed the \$165,614,290 allowable by the Appropriations Committee recommendation; and

WHEREAS, much progress has been made in conservation during the past nine years with the aid of AAA; practically one-half of Alabama farmers are now planting winter cover crops; terracing and other soil conservation work is being carried on with great benefit to Alabama and the nation; and

WHEREAS, there are now about 65,000 farmers in Alabama cooperating with and being directly benefitted by this program; and indirect benefits are being derived by all the people of Alabama; and

WHEREAS, the conservation needs of Alabama are far in excess of what are now being met; we believe it is the responsibility of society to see that our soil resources are maintained and improved for future generations; and

WHEREAS, the proposed reduction in agricultural appropriations threatens to wreck the school lunch program in Alabama unless the State greatly increases its funds of matching federal money; and funds will be denied for farm tenant loans to thou-

sands of Alabama veterans, and small farmers under the Bankhead-Jones Farm Tenant Purchase Act; and

WHEREAS, we believe the farmers will be forced to exploit and drain the soil fertility if the Agricultural Conservation Program is curtailed; much heretofore accomplished will be lost;

NOW, THEREFORE, BE IT RESOLVED by the State Senate of Alabama, the House of Representatives concurring:

1. That the Congress of the United States be most respectfully urged to continue and not to reduce the appropriations for the United States Department of Agriculture to carry on the Agricultural Conservation Program and other programs being put on by the Agriculture Department.

2. That the United States Senators, Honorable Lister Hill and Honorable John Sparkman, and our Representatives in Congress, be asked to support the Agricultural Conservation Program and to vote for and to lend their support for the continuance of the annual appropriation of \$301,720,000, and other agricultural appropriations vital to the people of Alabama.

3. That the Secretary of State of Alabama be directed to transmit duly certified copies of this Memorial to the President of the United States, Chairmen of the United States Senate and House Committees on Agriculture, the United States Senate and House Committees on Appropriations, the Secretary of Agriculture in Washington, and to each Member of our Congressional Delegation.

J. E. Speight,
Secretary.

SENATE MESSAGE

The S.J.R. 8 set out in the above and foregoing message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Quarles:

S.J.R. 12. WHEREAS the Honorable O. D. Carlton of Marengo County, who served as a member of the Alabama State Senate in a very distinguished manner for a long term of years, died yesterday and was buried at his home in Thomaston this morning, and

WHEREAS his services and activities as a member of the Senate undoubtedly redounded greatly to the progress and benefit of the State of Alabama, and

WHEREAS he was a true Southern Gentleman and a genuine statesman, having left the State better than he found it;

NOW THEREFORE BE IT RESOLVED by the Senate, the House concurring, that we hereby express our deep regret at the loss of this distinguished citizen, and extend our sympathy to members of his family; and further that a copy of this resolution be spread upon the Journals of the two houses.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Frasier, the rules were suspended and the House concurred in and adopted the Senate Joint Resolution No. 12 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 10. Relative to expressing appreciation to the various people who contributed the flowers for the decoration of the Capitol on Tuesday, June 3rd, 1947.

J. E. Speight,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Wallace:

H.J.R. 11. WHEREAS, The birthday of Jefferson Davis was made a State holiday by former Alabama Legislators and this, June 3, 1947, being the 139th anniversary of Mr. Davis' birth, and

WHEREAS, We as citizens of Alabama, descendants in the main of Confederate soldiers who gave their allegiance and many of them their lives in defense of the principle of independence which our Revolutionary forefathers had fought to establish in America, and

WHEREAS, In reviewing the character of Jefferson Davis we are inspired, and are resolved to long keep his memory green in our souls, and

WHEREAS, On this date it is fitting that we review the character of this man so befittingly memorialized in this Capitol building and on these grounds. Mr. Davis, a native of Kentucky, a resident from childhood of Mississippi and a descendant of parents native to Georgia and to South Carolina, was whole hearted in his devotion to the traditions of his people. It was in this hall that

Alabamians met in convention and seceded from the Union, January 11, 1861. It was in the Senate Chamber across the corridor that Mr. Davis was selected as President of the Confederate States of America by the members of the Provisional Confederate Congress. It was upon the West portico of this building that he took his oath of office as President, the spot now reverently marked with a gold star by devoted hands. It was in the rotunda of this building that his body lay in state that our people might pay their loving respect when his remains were being carried from New Orleans where he died, to Richmond, Virginia, for permanent interment. It was upon the grounds of this Capitol that the Confederate monument was erected and it was Mr. Davis who was called upon to come out of retirement to lay the cornerstone. It is across the street from this building that the home in which the Davis family resided for the few months between his inauguration until the removal of the Confederate Government to Richmond, has been removed from another location to become a Confederate shrine, especially dedicated to Mr. Davis' memory—the First White House of the Confederacy. It is upon these grounds in front of our Capitol that the Daughters of the Confederacy have erected a stately bronze effigy of Mr. Davis standing upon imperishable marble. In our Memorial Building across the street are preserved the State Bible on which Jefferson Davis and all Governors of Alabama since 1853 have taken their oath of office, and the original band score of "Dixie" used in a parade for the first time in history at Mr. Davis' inauguration.

WHEREAS, We honor ourselves in honoring the memory of this great man—Jefferson Davis, graduate of West Point, distinguished soldier of the Mexican War, Governor of Mississippi and her United States Senator, and only President of the Confederate States of America:

BE IT THEREFORE RESOLVED, That this body reverently recalls and endorses the eloquent words of William L. Yancey in introducing Mr. Davis who had come to Montgomery for his inauguration, to the people from the balcony of the old Exchange Hotel when he said:

"The country does not now, look to men, but to principles. But how fortunate is our country? She has not only the principles for the administration of government, but also the men. She has found in the distinguished gentleman she has called to preside over her public affairs, the statesman, the soldier and the patriot. She has the statesman—one eminently skilled in public affairs, thoroughly understanding the great principles on which our government is based, skillful, wise and moderate. She has the soldier, distinguished upon the field of battle, wise in council, terrible in the charge. She has a patriot, just, upright and incorruptible. Neither fear would deter or favor seduce him or cause him to swerve from the path of rectitude and duty. I may say again, fortunate, thrice fortunate, are the people of the south. They have found the man as well as the principles—a man in whom is combined in so emi-

nent a degree the wisdom of the statesman, the skill of the soldier, and the incorruptibility of the patriot. The man and the hour have met."

On motion of Mr. Wallace the rules were suspended and H.J.R. 11 was adopted.

A RESOLUTION

By Mr. Lovelace:

H.R. 12. To provide for participation by the House of Representatives of the Legislature of Alabama in the State law index program of the Library of Congress.

WHEREAS information concerning the nature and substance of legislation proposed for, and the enactments of, the legislative bodies of other States can and will be of interest and value to members of Alabama's Legislature if available to them immediately in a convenient and usable form, and

WHEREAS the Library of Congress through its State law index program compiles, summarizes, and distributes this information to the several States, and

WHEREAS the Library of Congress has invited, and urgently requests, Alabama to participate in the program, therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

1. The House desires to receive from the Library of Congress compilations of enactments and bills considered by legislative bodies of other States and to make the same information for Alabama available to other States.

2. To the end that participation may be accomplished, the Clerk of the House is directed to comply with the condition attached thereto: namely, the Clerk shall send on Saturday of each week a copy of each bill or resolution proposing an enactment of general applicability which is introduced during that week and a copy of every general act that originated in the House which became a law during that week.

3. To make participation possible, each member of the House is required to file with the Clerk a duplicate of each bill or resolution he introduces as a proposal for an enactment of general applicability and effect. Whenever the sponsor of a bill or resolution does not have sufficient copies to comply with this requirement, copies shall be prepared for him, at his request, by the legislators' stenographic pool.

And the H.R. 12 was read and referred to the Standing Committee on Rules.

By Mr. Snodgrass:

H.R. 13. BE IT RESOLVED by the House that the election to membership from the House on the State Building Commission

and the Legislative Reference Service be held in the Hall of the House of Representatives on the 6th day of June at 11 o'clock, A.M.

BE IT FURTHER RESOLVED that upon and after nominations from the floor have been made and the nominations closed, that, for the purpose of ascertaining the will of the House, the Speaker appoint four tellers; each member shall write the names of his choice, four for Building Commission, and six for the Legislative Research Council; that, if on the first ballot, a majority shall not be received by as many persons as there are members to be elected, then those who do receive a majority shall be declared elected, and the House shall then vote on twice the number remaining to be elected, such votes to be limited to those receiving the highest vote on the first ballot; and that the election shall proceed in like manner until as many persons as there are positions to be filled shall receive a majority of the votes cast;

Thereupon those thus selected shall be elected *viva voce*.

On motion of Mr. Snodgrass the rules were suspended and H.R. 13 was adopted.

By Mr. Stone:

H.J.R. 14. WHEREAS in the past much legislation has been adopted which has later been found to be invalid by reason of constitutional or formal defects; and

WHEREAS, as a result thereof an undue burden has been placed upon the legal advisers of the Executive; and

WHEREAS, although such defects have been in large measure detected before Executive approval, they have nevertheless caused additional functions to be performed both by the Legislative and Executive Departments; and

WHEREAS, some part of such legislation has been approved and made law, thereby causing disputes and litigation over the legality thereof; and

WHEREAS, the House Committee on Rules, and the Rules Committee of the Senate are charged with the duty of examining all enrolled and engrossed bills before they are submitted for Executive approval, but are not provided with sufficient technical aid in order for them to properly perform such function;

NOW, THEREFORE, BE IT RESOLVED, by the House, the Senate concurring, that the House Committee on Rules, and the Senate Committee on Rules are hereby authorized and directed to procure from the Legislative Research Bureau, or from the Department of Finance or the Department of Revenue, as may be shown to be practicable, sufficient and adequate legal assistance to insure, so far as may be reasonably possible, against the passage of unconstitutional or illegal legislation;

AND, BE IT FURTHER RESOLVED that in the event that the said committees, or either of them, shall determine that any legislation finally adopted shall be unconstitutional or illegal, it

shall be the duty of the vice-chairman of such committee to notify the sponsor of such legislation of such fact before the expiration of the time provided for the reconsideration of such legislation;

AND, BE IT FURTHER RESOLVED that upon the reconsideration of any such legislation no matter of substance shall be considered, but only such constitutional or legal defects as may have theretofore been pointed out by the said committees.

And H.J.R. 14 was read and referred to the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Mr. Davis:

H. 83. To amend Section 232 of Title 14 of the 1940 Code, which makes it a misdemeanor for any person to give a worthless check or draft.

By Messrs. Johnston, Sullivan, and Stone:

H. 105. To Amend Section 311 of Title 26 of the 1940 Code of Alabama

By Mr. Brassell:

H. 123. Supplemental to Chapter 2 of Title 34 of the Code of Alabama of 1940 which relates to divorce: authorizing circuit courts in equity to divorce persons from the bonds of matrimony for incompetability.

By Mr. McIlwain:

H. 130. To amend Section 491 of Title 7, of the 1940 Code of Alabama.

By Mr. McIlwain:

H. 129. To amend Section 11 and 12 of Title 28, of the 1940 Code of Alabama.

By Messrs. Johnston, Sullivan, and Stone:

H. 92. To Amend Section 221 of Title 7 of the 1940 Code of Alabama.

By Messrs. Johnston, Sullivan, and Stone:

H. 93. To provide for the answer of interrogatories propounded under Section 477 of Title 7 of the 1940 Code of Alabama by a servant or agent of the individual to whom same are addressed.

Mr. Thomas, Vice-Chairman of the Standing Committee on Local Legislation, reported that said committee in session had

acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Ganey and Leonard:

H. 152. To amend Section 2 of an Act entitled: "An Act To Provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama in supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said Commissioners" Approved February 18, 1927.

By Messrs. Gibson, Dumas, Beatty, Meeks, Adams (of Jefferson), Sadler and Kaul:

H. 142. To repeal Act Number 167 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligation holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

By Messrs. Gibson, Dumas, Adams (Jefferson), Sadler, Meeks, Beatty, and Kaul:

H. 143. To repeal Act Number 166 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the **creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies** and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such

bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligations holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

The above and foregoing bills were severally read a second time and placed on the calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wallace:

H. 156. To provide for educational benefits to children and widows of deceased veterans of World War II; to provide for educational benefits for the children, wives and veterans of World War II who are suffering from a 40% or more service-connected disability; to provide educational benefits for the children of the veterans of World War II whose gross income does not exceed \$2,000 per annum; and to provide for correspondence and extension courses for veterans of World War II.

Education.

By Mr. Wallace:

H. 157. To make an appropriation of \$7,500 to the Governor's Emergency Fund to reimburse that fund for expenditures on behalf of legislative interim committees.

Ways and Means.

By Messrs. Wallace, Busby, Johnston, Gibson, Shelton, Brown, McGowin, Larkins, and Snodgrass:

H. 158. To repeal Section 2 of the Act entitled "An Act, To provide for the Blood Testing for Syphilis of all persons residing in Alabama, and to appropriate not to exceed \$75,000.00, annually to carry out the terms of this act.", approved July 7, 1943.

Ways and Means.

By Mr. Still (with notice and proof):

H. 159. To authorize and empower the Sheriff of Chambers County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the Court of County Commissioners to pay the same by warrant drawn on the treasurer and paid out of the general fund of said County, and to require said deputy to give bond

in the sum of \$2000.00, payable to said Sheriff, with conditions as required by law.

Local Legislation.

Notice and Proof H. 159

NOTICE

Notice is hereby given that the following bill being a local bill applying only to Chambers County, Alabama, will be introduced in the Legislature of Alabama at the Regular Session, 1947, said bill being substantially as follows:

A BILL TO BE ENTITLED AN ACT

To authorize and empower the Sheriff of Chambers County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the Court of County Commissioners to pay the same by warrant drawn on the treasurer and paid out of the general fund of said County, and to require said deputy to give bond in the sum of \$2000.00, payable to said Sheriff, with conditions as required by law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Sheriff of Chambers County, Alabama, be and is hereby authorized and empowered to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, who shall hold office at the pleasure of the Sheriff, and who shall perform such services as said Sheriff may require of him, either as field deputy or other such services as said Sheriff may direct in the line and scope of duty pertaining to the Sheriff's office.

Section 2. That said deputy shall receive as compensation not less than \$150.00 per month and not more than \$200.00 per month, and to be fixed by the Court of County Commissioners of said County.

Section 3. That the Court of County Commissioners of Chambers County, Alabama, is hereby authorized and required to draw warrants in favor of such deputy on the Treasurer of said County, each month for the preceding month's work, on the certificate of the said Sheriff that said work has been performed, for such amount as is provided in Section 2 of this Act, said warrants to be paid out of the general funds of said County.

Section 4. That said Sheriff shall require such deputy to make bond payable to him in the sum of \$2,000.00, conditioned as required by Section 2595 of the Code of Alabama, 1923.

Section 5. That this Act shall take effect upon its approval by the Governor.

STATE OF ALABAMA,
CHAMBERS COUNTY.

Before me, Pearl H. Hand, a Notary Public in and for said County and State, personally appeared Bonnie Hand, who, being by me legally sworn, deposes and says:

I am the publisher of The LaFayette Sun, a newspaper published weekly, in LaFayette, Chamber County, Alabama; the foregoing notice of local bill was published in said newspaper once a week for 4 consecutive weeks, be-

ginning with the issue of April 23, 1947, and appearing in the issues of said newspaper of dates April 23-30-May 7-14, 1947.

BONNIE D. HAND,
Publisher.

Sworn to and subscribed before me this 16th day of May, 1947.

PEARL H. HAND,
Notary Public.

(SEAL)

By Mr. McClendon (with notice and proof):

H. 160. To provide for a clerk in the office of the Clerk of the Circuit Court of Chambers County, Alabama; to fix the method and basis of such clerk's employment and compensation, and to designate the fund from which payable. To repeal all laws in conflict herewith; to provide that the partial invalidity of this act shall not affect the remainder thereof; and to fix the time when this act shall become effective.

Local Legislation.

Notice and Proof H. 160:

NOTICE

Notice is hereby given that the following bill applying only to Chambers County, Alabama, will be introduced in the Regular Session of the Legislature of Alabama which convenes in May, 1947, said bill being substantially as follows:

A BILL TO BE ENTITLED AN ACT

To provide for a clerk in the office of the Clerk of the Circuit Court of Chambers County, Alabama; to fix the method and basis of such clerk's employment and compensation, and to designate the fund from which payable. To repeal all laws in conflict herewith; to provide that the partial invalidity of this act shall not affect the remainder thereof; and to fix the time when this act shall become effective.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Clerk of the Circuit Court of Chambers County, Alabama is hereby authorized to employ a clerk, if in his judgment it is necessary to the proper functioning of his office, said clerk to serve at the will and pleasure of the Clerk of the Circuit Court of Chambers County, Alabama. The Clerk of the Circuit Court of said County shall fix the salary of such clerk at Twelve Hundred (\$1200.00) dollars per annum.

Section 2. The salary of said clerk appointed as hereinbefore provided shall be paid out of the General Fund of Chambers County Alabama, in equal monthly installments of One Hundred (\$100.00) dollars per month, said payment to be made by warrant drawn by the Court of County Commissioners of Chambers County, Alabama.

Section 3. Should any clause, sentence, paragraph, part or section of this act be invalid such invalidity shall not affect, impair or invalidate the remainder of this act.

Section 4. All laws, general, local and special, in conflict herewith are hereby repealed insofar as they conflict herewith.

Section 5. This act shall become effective upon its passage and approval by the Governor.

STATE OF ALABAMA,
CHAMBERS COUNTY.

Before me, Zelma G. Jackson, a Notary Public in and for said County and State, personally appeared Bonnie Hand, who, being by me legally sworn, deposes and says:

I am the publisher of The LaFayette Sun, a newspaper published weekly, in LaFayette, Chambers County, Alabama; the foregoing notice of Local Bill was published in said newspaper once a week for 4 consecutive weeks, beginning with the issue of April 30, 1947, and appearing in the issues of said newspaper of dates April 30-May 7-14-21, 1947.

BONNIE HAND,
Publisher.

Sworn to and subscribed before me this 31st day of May 1947.

(SEAL)

ZELMA G. JACKSON,
Notary Public.

By Mr. McClendon (with notice and proof):

H. 161. To alter or re-arrange the boundary lines of the City of Lanett, Chambers County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Chambers County, Alabama:

Local Legislation.

Notice and Proof H. 161:

NOTICE OF INTENTION TO INTRODUCE LOCAL BILL

Notice is hereby given that the following bill will be introduced at the 1947 Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter or re-arrange the boundary lines of the City of Lanett, Chambers County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Chambers County, Alabama:

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Lanett, Chambers County, Alabama, be, and the same are hereby altered and rearranged so as to include within the corporate limits of said City of Lanett, Alabama, all that territory embraced within the following lines:

Beginning at an iron pin which is the South-east corner of the Northeast $\frac{1}{4}$ of Section Number 26, T. 22, R. 28, Chambers Co. Alabama, said pin also being located on the South margin of Bluffton St. and opposite the South end of what is known as City Limits Street; THENCE West along the South margin of Bluffton St. for 3500 feet to a concrete monument for a corner and starting point of the lines to be described; THENCE with a M.B. of S. $26^{\circ}45'$ E. for 4357.2 feet for a corner; THENCE with a M.B. of S. $47^{\circ}47'$ E. for 2294 feet for a corner located on the North margin of the W. of A. Railroad right-of-way; THENCE in a North-Easterly direction along the North and North-west margin

of said right-of-way for 4614 feet more or less to an iron post which is the Southeast corner of the Lanett Mill Yard and is located on the North margin of Park St.; THENCE in a westerly direction along the north margin of Park St. and across Gilmer St. (U. S. Highway No. 29) to a point for a corner located on the West margin of Gilmer St.; THENCE with a M.B. of N. 13°13' E. along the West margin of Gilmer St. for 4898.3 feet to a point for a corner located on the Alabama & Georgia State Line; THENCE with a M.B. of N. 10°40' W. along said State Line for 2991 feet to a point for a corner, said corner being the approximate center of the West Point Water Supply Reservoir; Thence with a M.B. of N. 74°40' W. for 5480.7 feet to a point for a corner located on the East margin of the West Point and Fredonia Road; THENCE with a M.B. of S. 9°30' W. for 6842 feet to a concrete monument for a corner and starting point. The above described lines encompass lands in Sections Numbered 23-24-25-26-35 and 36 all in T. 22, R. 28, Chambers County, Alabama.

Section 2. That the boundaries set out in Section 1 of this Act, be and the same are hereby established as the corporate limits of the said City of Lanett, Chambers County, Alabama.

Section 3. That this Act shall go into effect immediately upon its approval by the Governor.

STATE OF ALABAMA CHAMBERS COUNTY

Before me, C. H. Hill, a Notary Public in and for said State and Count, this day personally appeared Vernie Teel, Who being by me first duly sworn, deposes and says that he is the President of The Chambers County News, a newspaper of general circulation published in Chambers County, Alabama; that the above and foregoing notice was published once a week for four consecutive weeks in The Chambers County News, on to-wit: April 10, 1947, April 17th, April 24th and May 1, 1947 without cost to the State of Alabama.

VERNIE TEEL.

Sworn to and subscribed before me on this the 13th day of May 1947.

(SEAL)

C. H. HILL,
Notary Public.

By Mr. Coburn (with notice and proof):

H. 162. To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama.

Local Legislation.

Notice and Proof H. 162:

NOTICE

The following bill will be offered for introduction in the 1947 legislature:

AN ACT

To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby established in and for Colbert County, Alabama, an inferior court of law, both civil and criminal, and of equity which shall be called Colbert Law and Equity Court, and which shall be a court of record, and which shall have and exercise concurrent jurisdiction now conferred or which hereafter may be conferred upon the several circuit courts of the state, provided, however, that in cases at law, the amount involved, exclusive of interest and costs, does not exceed \$3000.00, and provided further that the said law and equity court shall not have jurisdiction to try persons charged with felonies; and shall have concurrent jurisdiction with the Justices of the Peace of Colbert County, in all matters whatsoever; and shall also have and exercise such further jurisdiction, authority, functions, and powers as are hereinafter conferred upon it by this Act.

Section 2. That the judge for said court shall be appointed by the Governor of the State immediately after the approval of this Act. The term of office of the judge so appointed shall begin immediately upon his appointment and qualification, and shall continue until the first Monday after the second Tuesday in January in the year 1949, or until such time as the successor shall be duly elected and qualified. At the general election to be held in the year 1948 and each sixth year thereafter, the judge of said court shall be elected by the qualified electors of Colbert County, Alabama, voting at such elections. The term of office of the first judge so elected shall begin on the first Monday after the second Tuesday in January in the year 1949, and the term of office of the judge subsequently elected shall begin on the first Monday after the second Tuesday in January of each sixth year thereafter. The term of office of the judge of said court shall be for a period of six years. The judge of said court before entering upon the duties of said office shall take the oath required by law to be taken by the judges of Circuit Courts of Alabama. The said judge shall be a qualified elector of Colbert County, Alabama, shall be learned in the law, shall be a member of the Alabama Bar in good standing, and shall be not less than twenty-five years of age. The said judge shall devote his entire time to the duties of his office. Said judge may be removed from office in the manner, and for the causes, now provided by law for the removal of Circuit Judges.

Section 3. Vacancies in the office of the judge of said court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution and law of this state.

Section 4. That the clerk of the Circuit Court of Colbert County, Alabama, shall be ex-officio clerk of the Colbert Law and Equity Court and shall have the same powers and discharge the same duties as clerks of the Circuit Courts, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees and commissions

as are now, or as may hereafter be, allowed to Circuit Clerks of Alabama, except as hereinafter provided, and the same shall be collected as such fees and commissions are collected in the Circuit Courts; except that in civil matters where suit is brought for \$100.00 or less only the fees and commissions allowed by law to Justices of the Peace shall be collected; and said clerk shall evercise the same powers and perform the same duties as are exercised and performed in the Circuit Court. That the Register of the Circuit Court in Equity shall be ex-officio Register of the Colbert Law and Equity Court and shall have the powers and discharge the duties which shall devolve upon the Register of the Colbert Law and Equity Court; and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees and commissions as are now, or as may hereafter be, allowed to the Register of Circuit Courts in Equity, and the same shall be collected as such fees are collected in Circuit Courts.

Section 5. That the judge of said court shall receive a salary of forty-eight hundred dollars per annum, payable in equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

Section 6. That the solicitor for said court shall be appointed by the Governor of Alabama immediately after the approval of this Act. The term of office of said solicitor shall begin immediately upon his appointment and qualification and shall continue until the first Monday after the second Tuesday in January in the year 1949, or until his successor is duly elected and qualified. At the general election to be held in the year 1948 and at the general election to be held each sixth year thereafter, the solicitor for the Colbert Law and Equity Court shall be elected by the qualified electors of Colbert County, Alabama, voting at said election. The term of office of each solicitor so elected shall begin on the first Monday after the second Tuesday in January in the year following his election, and the term of office of such solicitor shall be for a period of six years. The solicitor for said court before entering upon the duties of said office shall take the oath required by law to be taken by the circuit solicitors of Alabama. The said solicitor shall be a qualified elector of Colbert County, Alabama; shall be a member of the Bar of Alabama in good standing; shall be learned in the law, and he shall be allowed to continue to practice law while acting as such solicitor, except that he shall not represent defendants in any criminal cases in any courts in this state. The duties of said solicitor shall be those now prescribed by law in this State. Said solicitor may be removed from office in the manner and for the causes now provided by law for the removal of Circuit Solicitors.

Section 7. Vacancies in the office of solicitor of said court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution and laws of this state. !

Section 8. That the solicitor of said court shall receive a salary of Twenty-four hundred dollars per annum, payable in equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

Section 9. That the said Law and Equity Court shall be held at the court house of Colbert County, Alabama, and that said court shall be open at all times for the trial of cases and transaction of business. In case of sickness or disqualification of the judge of said court, the law applicable to the appointment and service of special judges in the Circuit Court shall apply. The judge of said court shall be subject to the same penalties for failure to attend upon the court as are Circuit Judges of this State. The judge of said court shall keep an office in the court house of Colbert County, Alabama, or at such other suitable place as may be provided by the County Commissioners of Colbert County, and it shall be the duty of the Board of Commissioners of Colbert County to provide such office and supply the same with all furnishings, fixtures, stationery and other supplies necessary to enable the judge of said court efficiently to conduct the affairs of his office.

Section 10. The judge of said court may determine and fix the time of holding the sessions of said court for the trial of all cases, both civil and

criminal; provided, however, that all civil and criminal cases in which no jury is demanded, shall be called for trial at least once in each calendar month, and for the trial of civil and criminal cases wherein juries have been demanded there shall be not less than three sessions of court each year, the time of said sessions to be fixed by the court by order entered upon the minutes of the court. Provided, however, that the court shall have the right and power to call extraordinary sessions of said court whenever in the judgment of the court the same are necessary.

Section 11. That it shall be the duty of the presiding judge of the Circuit Court, of Colbert County, Alabama, immediately after the approval of this Act, to make an order transferring to the Colbert Law and Equity Court all cases pending on the docket of the Circuit Court against persons charged with a misdemeanor, and after the approval of the Act each and every indictment returned by a grand jury of Colbert County against persons charged with the commission of a misdemeanor shall at once be transferred to the Colbert Law and Equity Court by the Clerk of the said Circuit Court and the jurisdiction of the Colbert Law and Equity Court shall attach to said cause and the jurisdiction of the said Circuit Court shall cease, and it shall be the duty of the Clerk immediately to issue capias against said parties so charged with a misdemeanor returnable to the Colbert Law and Equity Court.

Section 12. All civil cases now or hereafter pending in the Circuit Court of Colbert County, Alabama, where the amount involved does not exceed \$3000.00, and all actions of ejectment, forcible entry and unlawful detainer and all actions for the trial of the right of property may be by agreement of the parties thereto transferred from the said Circuit Court to Colbert Law and Equity Court; that all cases in equity brought in the Colbert Law and Equity Court may, as a matter of right, be transferred from the said Colbert Law and Equity Court to the Circuit Court in Equity on motion of the Respondent or his attorney filed within thirty days after the service of process is perfected.

Section 13. That the procedure, practice and rules governing the Circuit Courts of Alabama now, or which hereafter may be adopted, shall in all things apply to and govern the procedure and practice of the Colbert Law and Equity Court except as otherwise provided herein.

Section 14. The sheriff of Colbert County shall, in person or by a deputy, or deputies appointed by him, said appointment to be approved by the judge of said court be required to attend upon said court in preserving order, and execute all writs or process and perform such other duties, in all respects as in the Circuit Courts of this State, and each deputy required, not exceeding three, for attendance upon said session of said court, shall received the sum of \$2.00 per day, payable out of the county treasury upon the warrant of the judge of said court, provided that such deputies shall not receive pay except for the time that the court is actually in session and none of such compensation to the deputies shall be shared in by the sheriff, and for the service by the sheriff of the process of said court, he shall receive such compensation as he receives under the law of the State of Alabama or any laws enacted in the future by the Legislature of Alabama for the compensation of the sheriff for similar services in the Circuit Court, except as herein otherwise provided.

Section 15. That if, for any reason, forfeiture be taken on any bond on the criminal side of said court, the court may order the alias capias returnable instant or within ten days, and unless the party or parties against whom the forfeiture is taken shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then the court is hereby authorized and empowered to make the judgment final.

Section 16. That the judge of the Colbert Law and Equity Court shall adopt a seal for the law side of the docket of the Colbert Law and Equity Court which shall be kept in the custody and control of the Clerk of the court. The said judge shall also adopt a seal for the Equity side of the Col-

bert Law and Equity Court which shall be kept in the custody and control of the register of the court.

Section 17. That all actions of ejectment, forcible entry and unlawful detainer, and all other civil cases are to be tried by the court without the intervention of a jury, unless at the time of filing the suit, the plaintiff shall endorse upon the summons and complaint a demand for a jury trial, or unless the defendant or claimant at the time of filing the first pleadings in the case or at the time of making his appearance, shall demand a trial by jury, in writing, to be filed in the cause; provided, however, that all cases involving less than twenty dollars (\$20.00) shall be tried by the court without the intervention of a jury and provided further that all misdemeanor cases, except as herein otherwise provided, shall be tried without the intervention of a jury unless a demand in writing be filed in the cause within fifteen days after the arrest of the defendant, or a demand for a jury is endorsed upon the bond at the time of making the same.

Section 18. That the Colbert Law and Equity Court shall have jurisdiction of all causes brought by appeal or certiorari from the judgments of Justices of the Peace, Recorders, or other inferior courts, and the procedure practice and rules governing such appeals now, or which hereafter may be adopted, shall be the same as in the cases of appeals from such courts to the Circuit Courts or courts of like jurisdiction; provided, however, that the Colbert Law and Equity Court shall not have jurisdiction in causes appealed from judgments of Justices of the Peace, Recorders, or other inferior courts where appeal to the Circuit Court only is now, or hereafter may be, provided by law.

Section 19. When the summons, writ of attachment, summons and complaint in attachment, or other process either in law or in equity has been executed on the Defendant or service perfected on him, as required by law, the Defendant shall appear and plead, answer, or demur thereto within the time now, or which hereafter may be, provided by law; provided, however, that in all causes over which the Justice of the Peace Courts have, or hereafter may have, concurrent jurisdiction with the Colbert Law and Equity Court, the Defendant shall appear and plead, answer or demur thereto within the time now, or which hereafter may be provided by law for appearing and pleading, answering or demurring in the Justice of the Peace Courts. Judgments by default or decrees pro confesso may be rendered or set aside in the manner now, or which hereafter may be, provided by law.

Section 20. That said Colbert Law and Equity Court shall have exclusive jurisdiction over children and the Judge of said Law and Equity Court shall be the Judge of the Juvenile Court; it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Colbert Law and Equity Court of all juvenile matters and juvenile jurisdiction in Colbert County, Alabama, as now provided under Title 13, Chapter 7, Sections 350 to 383, both inclusive, of the Code of Alabama of 1940, or as hereafter amended, and appeals in such cases shall be as provided by law. The Register in Equity is hereby made the Clerk of such Juvenile Court.

Section 21. That this court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Sections 89 to 104, both inclusive, of the Code of Alabama of 1940, or as hereafter amended, which Article 3 is entitled Desertion and Non-Support. That the trial of such cases shall be by the court without a jury and appeals in such cases shall be as provided by law. That the Judge of said Law and Equity Court shall be the Judge of the Domestic Relations Court, it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Colbert Law and Equity Court of all domestic relations matters arising under Title 34, Article 3, Sections 89 to 104, both inclusive, of the Code of Alabama of 1940, as amended or as hereafter may be amended.

Section 22. That all jurors for Colbert Law and Equity Court shall be summoned from the entire county; that the venire for said court shall consist of 44 jurors drawn as provided by law for the drawing and summoning of jurors for the Circuit Courts of Alabama.

Section 23. Prosecutions for misdemeanors committed in Colbert County may be instituted in the said court by making an affidavit before the judge of said court or the clerk thereof, the writ on said affidavit to be issued by the judge or clerk of said court, and when the defendant is arrested on said affidavit and warrant, the case shall go on the docket for trial, and be tried as though the defendant had been indicted by a grand jury, provided, however, that the affidavit or complaint may be amended as now provided for amendment of such papers by Section 347, Title 13, of the Code of Alabama of 1940.

Section 24. The judge of said court shall have power to issue search warrants, writs of habeas corpus, prohibition, certiorari, quo warranto, injunctions and all other special and extraordinary writs, and the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be provided, by law, except as otherwise provided in this Act, shall prevail in the Colbert Law and Equity Court, and the judge thereof shall have the same powers and authority, including punishment for contempt as is or hereafter may be conferred upon the judges of the Circuit Courts of Alabama, unless otherwise provided in this Act.

Section 25. That from and after the passage of this act all fines and forfeitures assessed and collected in said court shall be deposited in The Fine and Forfeiture Fund of Colbert County, Alabama.

Section 26. That claims accruing in the Colbert Law and Equity Court will be claims against said fund, and such claims must be paid in the order in which they are registered, as provided by law.

Section 27. It shall be the duty of the clerk of said court to keep a record upon which shall be recorded all affidavits made before the judge or clerk of said court, or returnable by a justice of the peace, or judge of an inferior court in said county, to said court and if any of said affidavits should be lost or destroyed, a certified copy of the said record shall be used the same as the original affidavit and for recording each of said affidavits, the clerk shall receive a fee of seventy-five cents to be taxed as costs in case of the defendants conviction.

Section 28. That the Supreme Court and Court of Appeals of this state shall have appellate and supervisory jurisdiction over said court and the judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the the Circuit Courts of the State, and the judge thereof, and appeals may be taken from the orders and judgments of said court to the Supreme Court and Court of Appeals in the same manner, and within the same time, as appeals are now taken from the orders and judgments of the Circuit Courts of the State, except as herein provided for appeals to the Circuit Court. The same rules, regulations and laws applicable to appeals from the Circuit Court to the Supreme Court or Court of Appeals shall govern appeals in all cases from the Colbert Law and Equity Court to the Supreme Court or Court of Appeals, unless otherwise provided in this Act.

Section 29. Judgments or decrees rendered by the Colbert Law and Equity Court shall be a lien on the property of the judgment debtor which is subject to levy and sale under execution in the same manner and for the same period of time as is now, or as hereafter may be, provided by law for courts of record of this state upon the filing in the office of a Judge of Probate of a certificate of the said judgment or decree issued by the Clerk or Register of the said court as it now, or as hereafter may be, provided by law; and the said judgment or decree may be revived in the manner now, or as hereafter may be, provided by law.

Section 30. The venue of any case in said Colbert Law and Equity Court may be changed to other counties as it is now, or as it hereafter may be provided by law for the several Circuit Courts or courts of like jurisdiction.

Section 31. The judge of this court shall secure the services of a competent shorthand writer to attend the terms of this court and report in shorthand all cases tried herein and during the time he or she is actually engaged in reporting and transcribing for the court or the attorneys he or she is an

officer of this court, and he or she shall receive a salary to be fixed by the judge of said court and not to exceed One Hundred Fifty Dollars per month, and said salary shall be paid in monthly installments at the end of each month and shall be paid to him or her from the funds of the county by the County Treasurer or other custodian of said funds, on a warrant drawn thereon by the judge of this court, provided, however, the judge of this court shall have the right to remove said reporter from office at his pleasure. In addition to the compensation herein provided for, said reporter shall be entitled to tax and collect from the litigant or his attorneys for whom he is making a transcript of the evidence the sum of ten cents per hundred words for said transcript, and when such transcript is made the reporter shall append thereto his certificate to the correctness of the same as such official reporter. The stenographer's notes shall be preserved and filed as now provided by law in the Circuit Court.

Section 32. That in all civil cases reported by such reporter in this court there shall be taxed and collected as a part of the cost of the case a fee of \$5.00 for each day or fraction thereof, that such reporter shall be engaged in reporting a case, and when collected to be paid by the Clerk into the treasury of Colbert County, except in civil cases involving the sum of \$50.00 or less, in which cases no fee shall be taxed as costs for the services of the reporter.

Section 33. That final judgments rendered in said court shall, after the expiration of thirty days from their rendition, be taken and deemed to have passed beyond the control of said court, as if the term of court at which judgments were rendered had ended, provided, however, that nothing herein contained shall prevent the parties applying for a new trial or rehearing within thirty days or change or destroy the office of motion for new trials or rehearings, when so made, or shall prevent parties from applying to the court for rehearing under statutes authorizing applications for rehearing in the Circuit Court.

Section 34. That there shall be taxed against the defendant on conviction the same solicitor's fee and the same shall be collected in the way provided by law for taxing and collecting solicitor's fees in the Circuit Court, and when collected shall be paid into the treasury of Colbert County, Alabama.

Section 35. That the County Court of Colbert County is hereby abolished, and from and after the passage of this Act shall no longer exist and no officers of this state shall collect any fees or salary because of said court or for services rendered in said County Court and all cases pending in said County Court of Colbert County, Alabama, when this act becomes a law, shall immediately become pending upon the docket of the Colbert Law and Equity Court as though originally brought in said Court, and shall be called for trial on the first Monday in the month following the approval of this Act, at which time any defendant whose case has been pending in said County Court may demand a trial by jury, unless otherwise provided in this Act.

Section 36. That a trial tax of three dollars (\$3.00) shall be imposed in each case, civil, criminal and equity, which is docketed in said Law and Equity Court, to be taxed and collected as other costs, and when collected, to be paid by the Clerk or Register of said Law and Equity Court, into the general funds of the county as other costs, provided, however, that in civil cases at law where the amount involved is Fifty Dollars or less, a trial tax fee of only \$1.00 shall be imposed and collected.

Section 37. That the Clerk and Register, with the approval of the judge of said court, are hereby authorized and required to purchase all necessary furnishings, records, stationery, and supplies for the equipment and maintenance of said court, and the same shall be paid out of the county treasury upon warrants drawn by the judge and signed by the clerk.

Section 38. That if, for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, that fact shall not destroy the constitutionality of this Act except as to that clause or section.

Section 39. That all laws in conflict with this Act, are hereby repealed.

Section 40. That this Act shall become effective immediately upon its passage and approval by the Governor.

STATE OF ALABAMA
COLBERT COUNTY.

Before me, the undersigned authority in and for said state and county, this day personally appeared W. F. Miller, who being first duly sworn, deposes and says that he is the publisher of Colbert County Reporter, a newspaper published in Colbert county, Alabama, and that the advertisement of the intention to have introduced in the Legislature of Alabama, An Act, a true copy of which is hereto attached, appeared in the said Colbert County Reporter once a week for four consecutive weeks, namely, May 1, 8, 15 and 22, 1947.

W. F. MILLER,
Publisher.

Sworn to and subscribed before me this 23 day of May, 1947.

JACK REED,
Notary Public.

By Mr. Larkins. (With Notice and Proof):

H. 163. To prescribe the method of selecting the superintendent of education for Coffee County, fixing his term of office, providing the payment of his salary, and repealing all conflicting laws.
Local Legislation.

Notice and Proof H. 163:

NOTICE OF LOCAL LAW

Notice is hereby given that a Local Bill will be introduced at the next session of the Legislature of Alabama that meets in May, 1947, the substance of which shall be as follows:

A BILL
TO BE ENTITLED
AN ACT

To prescribe the method of selecting the superintendent of education for Coffee County, fixing his term of office, providing the payment of his salary, and repealing all conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1. A superintendent of education for Coffee County shall be elected at the general election held in November, 1948, and every four years thereafter. The superintendent of education shall hold office for a term of four years, commencing July 1 next succeeding his election. In the event a vacancy occurs in the office, the county board of education is authorized to fill such vacancy for the unexpired term by appointment. The salary of the superintendent of education shall be fixed by the county board of education.

2. All laws in conflict with the provisions of this Act are repealed.

H. B. LARKINS,

Representative, Coffee County.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
COFFEE COUNTY

Before me, a notary public in and for said county and state, personally appeared R. C. Bryan, who deposeth and sayeth that he is the publisher of The Elba Clipper, a newspaper published in said County and State, and that the notice attached hereto was published for four consecutive weeks, as follows:

April 24, 1947; May 1, 1947; May 8, 1947; May 15, 1947.

R. C. BRYAN,
Publisher.

Sworn to and subscribed before me this 30 day of May, 1947.

J. W. KENDRICK,
Notary Public.

By Messrs. Benford and Denton:

H. 164. To amend Title 13, Section 112, Code of Alabama 1940.

Judiciary.

By Messrs. Adams (Dale), Adams (Jefferson), Black, Meeks, Callahan, Broadwater, and Wallace:

H. 165. To create a State Recreation Board which will provide on request advisory services on community recreation to municipalities, counties, unincorporated communities, and other political subdivisions and to prescribe the powers and duties of this Board.
Local Government.

By Mr. Thagard:

H. 166. To amend Section 697 of Title 7 of the Code of Alabama of 1940.

Judiciary.

By Mr. Thagard:

H. 167. To amend Section 694 of Title 7 of the Code of Alabama of 1940.

Judiciary.

By Messrs. McDonald, Head, Ramey, and Martin:

H. 168. To authorize and empower and require the County Boards of Education of the several counties of the State of Alabama to pay the costs and expenses of the biennial school census of said counties.

Ways and Means.

By Messrs. McDonald, Head, Ramey, and Martin:

H. 169. To authorize and empower and require the County Boards of Education of the several counties of the State of Alabama to purchase and procure any and all necessary items and services, to pay all of the expenses in connection with the operation of the office of the County Boards of Education, their officers

and agents thereof, and to pay for the same from county school funds.

Local Government.

By Mr. Buckner:

H. 170. To provide and appropriate for the establishment, maintenance, and operation of a North Alabama Horticultural Experiment Substation in Cullman County as part of the Alabama Agricultural Experiment Station System of the Alabama Polytechnic Institute.

Ways and Means.

By Mr. Buckner (with notice and proof):

H. 171. To provide for the appointment of a deputy clerk of the Circuit Court of Cullman County, Alabama; to prescribe the duties, powers and authority and fix the compensation and salary of such deputy clerk and to designate the method of payment and the fund from which said compensation and salary is payable. To repeal all laws in conflict with the provisions of this Act; to provide that the partial invalidity of this Act shall not affect the remainder hereof; and to fix the time when this Act shall become effective.

Local Legislation.

Notice and Proof H. 171

NOTICE

I hereby give notice that I intend to introduce the following bill at the next regular session of the Alabama Legislature.

A BILL TO BE ENTITLED AN ACT

To provide for the appointment of a deputy clerk of the Circuit Court of Cullman County, Alabama; to prescribe the duties, powers and authority and fix the compensation and salary of such deputy clerk and to designate the method of payment and the fund from which said compensation and salary is payable. To repeal all laws in conflict with the provisions of this act; to provide that the partial invalidity of this act shall not affect the remainder hereof; and to fix the time when this act shall become effective.

Be It Enacted by the Legislature of Alabama.

Section 1. That the Clerk of the Circuit Court of Cullman County, Alabama shall appoint a deputy Clerk for said Court, said deputy clerk to serve at the will and pleasure of the Circuit Clerk; said deputy clerk shall be paid a salary of One hundred twenty-five (\$125.00) dollars per month by the County of Cullman out of the general fund of said County, said payment to be made by warrant drawn at the request of the Circuit Clerk of said Cullman County, Alabama.

Section 2. That said deputy clerk shall possess all the duties, powers and authority, both ministerial and judicial as may be assigned by Circuit Clerk of said Cullman County.

Section 3. That all laws, general, local or special in conflict with the

provisions of this act be, and the same are hereby expressly repealed.

Section 4. That should any clause, sentence, paragraph or part of any section of this act be invalid, such invalidity shall not affect, impair or invalidate the remainder of this act.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. L. BUCKNER.

April 10, 17, 24; May 1.

THE STATE OF ALABAMA
CULLMAN COUNTY

Before me, Gladys Ruehl Graham, a Notary Public in and for said County and State, personally appeared W. A. Ridgeway, Business Manager of THE CULLMAN BANNER, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for 4 weeks successively and being in the issues of said newspaper of the following dates, viz: April 10, 17, 24, May 1.

W. A. RIDGEWAY,
Business Manager.

Sworn to and subscribed before me this 10th day of May 1947.

(SEAL) GLADYS RUEHL GRAHAM,
Notary Public.
My Commission expires Sept. 8, 1948.

By Messrs. Givhan, Coburn, Bennett, and Dobbs (Elmore):

H. 172. To amend Section 155, Title 51, of the Code of Alabama of 1940, as amended by Act No. 471, General Acts of 1943, page 435, approved July 10, 1943.

Ways and Means.

By Messrs. Givhan, Garrett and Duffee:

H. 173. To make a conditional appropriation to the Agricultural Center Board for constructing and equipping additional regional facilities for housing livestock shows, agricultural and industrial displays, and other exhibits.

Ways and Means.

By Messrs. Givhan, Garrett and Busby:

H. 174. To make an additional appropriation to the State Building Commission for the purpose of constructing a livestock coliseum.

Ways and Means.

By Messrs. Givhan, Garrett, and Thagard:

H. 175. To appropriate fifteen thousand dollars (\$15,000) annually to the Agricultural Center Board for awarding prizes or premiums at livestock shows.

Ways and Means.

By Mr. Beck (with notice and proof):

H. 176. To provide for the payment of claims from the DeKalb County Court Fine and Forfeiture Fund, arising in the Circuit Court, and to provide for their cancellation arising prior to

February 8, 1939, and to provide payment of said claims by the custodian of said funds.

Local Legislation.

Notice and Proof H. 176:

NOTICE

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama, substantially as follows:

A BILL TO BE ENTITLED AN ACT

To provide for the payment of claims from the DeKalb County Court Fine and Forfeiture Fund, arising in the Circuit Court, and to provide for their cancellation arising prior to February 8, 1939, and to provide payment of said claims by the custodian of said funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA

Section I. That all claims for witness fees, sheriff and Circuit Clerk of the DeKalb County Circuit Court that have been registered and are valid claims against the Fine and Forfeiture Fund of DeKalb County, created by Act of the Legislature No. 309, approved September 5, 1919, are hereby declared valid claims against the DeKalb County Court Fine and Forfeiture Fund, of DeKalb County, Alabama, created by Local Act of the Legislature No. 17, approved February 8, 1939.

Section II. Only Circuit Court claims arising prior to February 8, 1939, and have been registered as required by law shall be paid from said DeKalb County Court Fine and Forfeiture Fund of DeKalb County, Alabama, and shall be paid in the order of their registration and shall not be required to be registered again in the DeKalb County Court Fine and Forfeiture Fund.

Section III. The Clerk of the DeKalb County Court who is custodian of the DeKalb County Court Fine and Forfeiture Fund, is hereby directed to pay from said fund claims on presentation by the owners thereof as required by this Act.

Section IV. All County Officers claims arising in the Circuit Court of DeKalb County shall be on par with the claims of witnesses.

Section V. All claims under the provision of this Act shall be presented within 90 days or they will be barred.

Section VI. This act shall go into effect upon its passage and approval of the Governor.

4-23-47

STATE OF ALABAMA, DeKALB COUNTY.

Before me, A. L. Campbell, in and for said County and State, personally appeared E. O. Davidson, who being duly sworn, deposes and says that the Notice, a true copy of which is hereto attached, was published in The Fort Payne Journal, a weekly newspaper published in Fort Payne, Ala., DeKalb County, a paper of general circulation and of legal status, in the issues of April 23, April 30, May 7, May 14, 1947.

E. O. DAVIDSON,
Publisher.

Sworn to and subscribed before me this the 31 day of May, 1947.
(SEAL) A. L. CAMPBELL,
Notary Public.

By Messrs. Lovelace, Adams of Dale, Callahan and Mason:

H. 177. To Amend Section 53, Title 36, of the Code of 1940.

Judiciary.

By Messrs. Lovelace, Adams of Dale, Callahan and Mason:

H. 178. To Amend Section 713, Title 51, of the Code of 1940.

Ways and Means.

By Mr. Lovelace:

H. 179. To propose an amendment to the Constitution which will permit Escambia County to levy and collect a tax, not exceeding four mills on each dollar of taxable property, to be used solely for acquiring, constructing, operating, equipping, or maintaining county hospitals, or other public hospitals, nonprofit hospitals and public health facilities; ordering a special election thereon and providing for the payment of the expenses of the election.

The above and foregoing bill, H. 179, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Lovelace:

H. 180. To Provide For the Assessment of Solicitor's Fees As A Part of the Costs of Appeals From Judgments Rendered In Municipal Courts.

Judiciary.

By Mr. Lovelace:

H. 181. To amend Section 496, Title 37, Code of 1940.

Health.

By Messrs. Lovelace, Martin and White:

H. 182. To authorize and empower the Courts of County Commissioners and Boards of Revenue of the several counties of the State of Alabama to expend from the general fund of the several counties a sum not exceeding \$2,000.00 per annum for any purpose deemed desirable or advisable by the Courts of County Commissioners or Boards of Revenue of the several counties of the State of Alabama.

Local Government.

By Mr. Roberts:

H. 183. To re-divide the State into judicial circuits; to authorize and create an additional judge for the Sixth Judicial Circuit; and to provide for holding court in the several counties.

Judiciary.

By Mr. Roberts:

H. 184. To Provide for the Recognition and Enforcement through Action in the Courts of this State of the Liability for

Taxes Imposed by the Laws of Another State; And to Provide Method of Proof of Authority of Official of Another State Attempting to Enforce Collection of Taxes Due to Such State; And to Define the Term "Taxes" as used in this Act; And to Provide an Effective Date for this Act.

Judiciary.

My Mr. Roberts:

H. 185. To amend Section 491 of Title 7 of the 1940 Code, which relates to perpetuating the testimony of witnesses.

Judiciary.

By Mr. Roberts:

H. 186. Relating to civil remedies and procedure; providing for examination of parties by interrogatories in civil suits to which the State is a party.

Judiciary.

By Messrs. Haynes (Franklin) and Roberts:

H. 187. To amend Section 728, Title 51, Article 9, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Mr. Haynes (Franklin):

H. 188. To prescribe a minimum penalty for violation of game and fish laws.

Conservation.

By Mr. Haynes (Franklin):

H. 189. To amend Section 86 of Title 8 of the 1940 Code, which relates to hunting at night.

Conservation.

By Mr. Haynes (Franklin):

H. 190. To amend Section 18 of Title 8 of the 1940 Code, which relates to the appointment of game and fish wardens, requiring the appointment of at least one game and fish warden for each county.

Conservation.

By Mr. Haynes (Franklin):

H. 191. To amend Section 90 of Title 8 of the 1940 Code, which prohibits the hunting of turkey hens, does and unantlered male deer, fixing the minimum fine for hunting or killing a doe at not less than one hundred dollars.

Conservation.

By Mr. Haynes (Franklin):

H. 192. To amend Section 55 of Title 8 of the 1940 Code, which relates to fees payable to certain officers.

Conservation.

By Mr. Haynes (Franklin):

H. 193. To provide for the payment of a bonus to certain persons who served in the military, naval, marine, or coast guard forces of the United State between the dates September 16, 1940, and June 30, 1946, or to their survivors.

Ways and Means.

By Messrs. Snodgrass and Roberts:

H. 194. To Amend Section 755 of Title 51, Article 10, Chapter 20, Code of Alabama 1940, as amended by Act No. 471, approved July 10, 1943, and reported in Acts 1943, page 435.

Ways and Means.

By Messrs. Snodgrass and Roberts:

H. 195. To repeal an Act of the Legislature of Alabama approved July 7, 1945, entitled, "An Act to exempt the gross proceeds of subscriptions to magazines from computation of the amount of the sales tax levied, assessed or payable under the laws of Alabama."

Ways and Means.

By Messrs. Snodgrass and Roberts:

H. 196. To Amend Section 789 of Title 51, Article 11, Chapter 20, Code of Alabama 1940, as amended by Act. No. 475, approved July 10, 1943, and reported in Acts 1943, page 439.

Ways and Means.

By Messrs. Givhan, Garrett, Thagard, and Vann:

H. 197. To make an appropriation to the Alabama State Markets Board for the construction of additional market facilities.

Ways and Means.

By Mr. Meeks:

H. 198. To amend Section 29 of Title 10 of the Code of Alabama of 1940:

Business and Labor.

By Mr. Gibson:

H. 199. To amend Section 220 of Title 7 of the Code of Alabama of 1940.

Judiciary.

By Messrs. Gibson and Meeks:

H. 200. To amend Section 25 of Title 34 of the Code of Alabama of 1940.

Judiciary.

By Messrs. Givhan, Thompson (Pike), Bennett, and Dobbs (Elmore):

H. 201. To provide for the vaccination against Brucellosis or Bang's Disease of calves at State expense, in order to reduce the

prevalence or to exterminate contagious abortion or Bang's Disease and Brucellosis in cattle; to exempt certain classes of calves from the provisions of this Act; to provide that such vaccination be performed by the State Veterinarian or other qualified persons; to require the marking of calves already vaccinated; to prescribe the time and area in which the vaccination program shall be administered; to authorize the State Veterinarian to exempt from vaccination certain calves; to provide for a penalty to any person not complying with this Act or obstructing the State Veterinarian; to repeal all laws in conflict with this Act; to repeal Act No. 400, General Acts of 1945, page 619, approved July 7, 1945, entitled "An Act to provide for the vaccination of calves in Alabama against Brucellosis or Bang's Disease and to appropriate funds therefor during each of the fiscal years ending September 30, 1946 and 1947"; to provide that if any section of this Act be held unconstitutional, the remainder shall be valid; to provide for an appropriation to carry out the provisions of this Act, and to provide that any part of the appropriation remaining unexpended after a complete calthood vaccination program has been finished may be used to match federal funds for indemnifying owners of cattle which have been condemned or slaughtered after having reacted positively to the test for tuberculosis, para-tuberculosis or Bang's Disease; and to provide for the effective date of this Act.

Ways and Means.

By Mr. Barnett:

H. 202. To amend Section 666, Title 7, 1940 Code of Alabama relating to wages and salary of deceased employees.

Judiciary.

By Messrs. Barnett and Rogers (with notice and proof):

H. 203. To Amend Sections 1, 6, 8, 14 and 28 of An Act entitled An Act "To Establish a Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for its officers, their duties and powers and compensation; to provide for trial tax and other fees; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said court; to provide for an official court reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County." approved May 29, 1931.

Local Legislation.

Notice and Proof H. 203:

NOTICE

Notice is hereby given that the following bill will be submitted to the present legislature of Alabama, to-wit, May 1947 Regular Session, for enactment into law, in substance as follows, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Amend Sections 1, 6, 8, 14 and 28 of An Act entitled An Act "To Establish A Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for its officers, their duties and powers and compensation; to provide for trial tax and other fees, to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said court; to provide for an official court reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County," approved May 29, 1931.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section one of an Act of the Legislature approved May 29, 1931, entitled "An Act To Establish A Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensation; to provide for trial tax and other fees, to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said Court; to provide for an official Court Reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County," be amended so as to read as follows: Section 1. That there be and there is hereby established in and for the County of Lauderdale, a Law and Equity Court which shall be called the Law and Equity Court of Lauderdale County, and shall be a Court of Record, and which shall have and exercise concurrent jurisdiction, authority, functions and powers now conferred or which may hereafter be conferred upon the several Circuit Courts of the State in Equity; and, where the amount involved exclusive of interest and costs does not exceed Five Thousand Dollars, in Civil Court Cases, provided, however, that the Law and Equity Court shall not have jurisdiction to try persons charged with felonies.

Section 2. That Section 6 of the said Act, approved May 29, 1931 shall be and is amended so as to read as follows:

Section 6. That the Judge of said Court shall receive a salary of Five Thousand Dollars per year, payable Four Hundred, Sixteen and 66/100 Dollars per month, out of the general fund of the County Treasury at the end of each month or one half semi-monthly, at the election of the Judge of said Court, payable by warrants drawn by said Judge, and that there shall be taxed as a trial tax or fee the sum of \$3.00 in all cases entered on the docket in said Court, said trial tax or fee in all cases shall be paid by the Clerk of said Court into the County Treasury for the benefit of the general fund.

Section 3. That Section 8 of said Act, approved May 29, 1931 shall be and is amended so as to read as follows:

Section 8. That there shall be a solicitor of and for said Law and

Equity Court of Lauderdale County, who shall be appointed by the Governor immediately after the approval of this Act, and who shall hold office until the second Tuesday after the first Monday in January, 1935 and until his successor is elected and qualified, and shall prosecute for the State all causes in said Court and for so doing he shall receive a salary of Twenty Five Hundred Dollars per year, payable Two Hundred, Eight and 33/100 Dollars per month out of the County Treasury on warrants to be drawn by the Judge of said Court, at the end of the month, or semi-monthly at the election of said Solicitor. That in the absence of the said Solicitor the Judge of said Court may appoint a special deputy solicitor to represent the State in cases that the Solicitor of said Court is required to represent the State and shall receive for his compensation not less than \$10.00 nor more than \$25.00 at the discretion of the Judge, for each day or fraction thereof, for the time actually appointed. Said Solicitor shall begin upon the approval of this Act and at the general election in 1934 and every four years thereafter there shall be elected a solicitor for said Law and Equity Court of Lauderdale County, by the qualified electors of said county. That said solicitor shall be a qualified elector of Lauderdale County and shall be learned in the law and said solicitor shall not defend any person charged with crime in any of the criminal courts of Lauderdale County, or in any of the Courts of the State of Alabama; that in Capital Cases, Arson and Burglary, Bastardy Proceedings and cases of Driving While Intoxicated, where preliminary hearings are had before Justices of the Peace in Lauderdale County, where application is made to the Judge of the Law and Equity Court or to the Circuit Judge, requesting the services of the Solicitor of the Law and Equity Court in the prosecution of said preliminary hearings, the application to be signed by the sheriff of the County, the Judge to whom application is made may direct said solicitor to assist in such prosecution of said preliminary hearings.

Section 4. That Section 14 of said Act, approved May 29, 1931 shall be and is amended so as to read as follows:

Section 14. The Sheriff of Lauderdale County shall in person, or by deputies appointed by him with the approval of the Judge of the Court, be required to attend upon the said Court and preserve order and execute all process and perform such other duties in all respects as in the Circuit Court, the number of bailiffs so furnished to be not more than two per day exclusive of the Sheriff and for such services of attending the Court the Sheriff shall receive for each deputy so furnished \$3.00 per day to be paid out of the County Treasury upon warrants drawn by the Judge of said Court. The Sheriff shall receive the same fees for executing the processes of this Court as provided by law for the execution of the same processes in the Circuit Court or in the Justice of the Peace Court, and same shall be collected in the same way as is now or may hereafter be provided by law.

Section 5. That Section 28 of said Act, approved May 29, 1931 shall be and is amended so as to read as follows:

Section 28. The Judge of said Court shall secure the services of a competent shorthand writer to attend the terms of the Court and report in shorthand all the cases tried herein and during the time he or she is actually engaged in reporting and transcribing for the court or the attorneys he or she is an officer of this Court, and he or she shall receive a salary to be fixed by the Judge of said Court and not to exceed One Hundred, Twenty Five Dollars per month and said salary shall be paid in monthly installments at the end of each month or semi-monthly at the election of said reporter and shall be paid from the funds of the County by the County Treasurer or other custodian of said funds on warrants drawn thereon by the Judge of this Court; provided, however, that the Judge of this Court shall have the right to remove said reporter from office at his pleasure. In addition to the compensation herein provided for, said reporter shall be entitled to tax and collect from the litigant or his attorneys for whom he is making a transcript of the evidence the sum of ten cents per hundred words for said transcript, and five cents per hundred words for each copy thereof, and when such tran-

script is made the reporter shall append thereto his or her certificate to the correctness of the same as such official reporter. The Stenographer's notes shall be preserved and filed as now provided by law in the Circuit Court.

Section 6. That, if for any reason, any section, provision or clause of this amended Act be held unconstitutional or invalid, then that fact shall not destroy the constitutionality or validity of the act except as to such clause or section.

Section 7. That all laws, both local and general, in conflict with this Amended Act be and the same are hereby repealed.

Section 8. That this Amendment to said Act approved May 29, 1931, shall take effect immediately upon passage by the legislature and approval thereof. May 2-9-16-23c

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA LAUDERDALE COUNTY

I, L. H. BAKER, General Manager of The Florence Times, a newspaper published in Florence, Lauderdale County Alabama, and with a general circulation in Lauderdale County Alabama, and having been mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached notice, hereby make affidavit that the advertising of:

An Act Entitled An Act "To Establish A Law and Equity Court for Lauderdale County was published in The Florence Times on the days and dates and in the amount of space as here given, as follows: May 2-9-16-23, 1947, 1480 words @ 4½c 4 times. Florence, Ala., May 30, 1947.

L. H. BAKER,
General Manager of The Florence Times.

Sworn to before me this 30 day of May, 1947.

(SEAL) M. JEROME CARTER,
Notary Public.

My Commission Expires Feby. 7, 1951.

By Mr. Haynes (Lowndes):

H. 204. To Require legislative approval of all executive appointments to public office under the State or political subdivisions of the State.

Judiciary.

By Mr. Bush (with notice and proof):

H. 205. To amend Section 1 of Act 102, approved June 6, 1935, which relates to the method of selecting and the term of office of the Superintendent of Education for Macon County, by providing for his appointment by the Board of Education for Macon County.

Local Legislation.

Notice and Proof H. 205:

NOTICE

Notice is hereby given that I will introduce in the State Legislature, which convenes May 6, 1947, a Bill repealing local Act No. 102, approved June 6, 1935, providing for the manner of election setting up the qualifications and describing the duties of the County Superintendent of Education of Macon County, Alabama.

G. O. BUSH,
Rep. Macon Co.

PROOF OF PUBLICATION
THE TUSKEGEE NEWS
Tuskegee, Ala.

STATE OF ALABAMA
MACON COUNTY

Before me, a notary public in and for said county and state, personally appeared Hal Fisher, who deposeth and sayeth that he is the publisher of THE TUSKEGEE NEWS, a weekly newspaper published in said County and State, and that the notice attached hereto was published for 4 consecutive weeks, as follows: May 8, 1947; May 15, 1947; May 22, 1947; May 29, 1947.

Signed: HAL FISHER,
Publisher.

Sworn to and subscribed before me this 2nd day of June, 1947.

VIRGINIA MORGAN,
Notary Public.
My Commission Expire 3-3, 1951.

By Messrs. Davis and Van (with notice and proof):

H. 206. To alter, extend and rearrange the boundary lines of the City of Huntsville, Alabama, and describe the area included therein for all purposes.

Local Legislation.

Notice and Proof H. 206:

LEAGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama during its biennial session of 1947, for the passage of an Act in substance as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To alter, extend and rearrange the boundary lines of the City of Huntsville, Alabama, and describe the area included therein for all purposes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section one. That the boundary of the City of Huntsville, in the County of Madison and the State of Alabama, be alerted, extended and rearranged so that the City of Huntsville shall include in its coporate limits the territory described as follows: Beginning at the center of the West boundary of Section 6, township 4 South, Range 1 East, which place of beginning is further described as the intersection of the center line of Big Cove Pike with the center line of California Street;; Thence south along the West boundary of Section 6 and along the center line of said California Street 2640 feet to the Southwest corner of said Section 6; thence East 2640 feet to the center of the South boundary of Section 6; thence North 1320 feet to the center of the West boundary of the Southeast quarter of Section 6; thence East 3960 feet to the center of the Southwest quarter of Section 5, township 4 south, range 1 east; thence North 1320 feet to the center of the North boundary of the southwest quarter of said section 5; thence west 3960 feet to the center of section 6; thence north 4550 feet; thence west 2000 feet to a point on the northeast corporate limits line of the City of Hunstville and the center line

of Kingsbury Avenue; thence South $33\frac{1}{2}$ degrees East along the northeast boundary of said corporate limits 2360 feet to the Southeast corner of said corporate limits; thence South $56\frac{1}{2}$ degrees West 2350 feet to the intersection of the South boundary line of said corporate limits with the center line of California Street; thence with the center line of said California Street south 5 degrees East 1200 feet to the place of beginning.

Section two. This said Act shall take effect immediately upon its passage and approval.

Section three. Should any section, paragraph or portion of this Act be declared unconstitutional, it shall not invalidate any remaining portion thereof. April 10, 17, 24, May 1.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
MADISON COUNTY:

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Langhorne, who, being by me first duly sworn, deposes and says that he is General Manager of The Huntsville Times which is and has been during the times herein mentioned, a newspaper of general circulation published in Huntsville, Madison County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 10th day of April 1947, 17th day of April 1947, 24th day of April 1947, 1st day of May 1947, and that said publication was made without cost to the State of Alabama.

J. M. LANGHORNE,
General Manager.

Sworn to and subscribed before me this 2nd day of June 1947.

(SEAL) W. P. NICHOLSON,
Notary Public.

By Messrs. Davis and Vann (with notice and proof):

H. 207. To alter, extend and rearrange the boundary line of the City of Huntsville, Alabama, and describe the area included therein for all purposes.

Local Legislation.

Notice and Proof H. 207:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama during its biennial session of 1947, for the passage of an Act in substance as follows:

A BILL TO BE ENTITLED AN ACT

To alter, extend and rearrange the boundary line of the City of Huntsville, Alabama, and describe the area included therein for all purposes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section one. That the boundary of the City of Huntsville, in the County of Madison and the State of Alabama shall include in its corporate limits the territory described as follows:

All that certain tract or parcel of land lying adjacent to the City of Huntsville, and situated in Madison County, Alabama, more particularly described as follows, to-wit:

Beginning at a point on the West boundary of Section 1, Township 4 South, Range 1 West, where said section line intersects the southwest boundary of the corporate limits of the City of Huntsville, Madison County, Alabama, said place of beginning is further described as being due South 810.0 feet from the center of the West boundary of said section 1, Township 4 South, Range 1 West; thence from the beginning South 3,440.0 feet to the center of Donegan Lane, which point is also the center of the West boundary of Section 12, Township 4 South, Range 1 West; thence East along the center of said Donegan Lane 7,920.0 feet to the center of Section 7, Township 4 South, Range 1 East; thence North 2,640.0 feet to the center of the North boundary of said Section 7; thence West 2,640.0 feet to the center of California Street, which point is also the Northwest corner of said Section 7; thence North 2,640.0 feet to the center of the old Big Cove Road, which point is also the center of the West boundary of Section 6, Township 4 South, Range 1 East; thence North 5 degrees West along the center of said California Street 1,200.0 feet to a point on the Southeast boundary of the Corporate Limits of the City of Huntsville; thence with the Southeast boundary of said Corporate Limits South 56½ degrees West 5,385.0 feet to a corner of said Corporate Limits; thence North 33½ degrees West along the Southwest boundary of said Corporate Limits 1,130.0 feet to the place of beginning.

Section two. This said Act shall take effect immediately upon its passage and approval.

Section three. Should any section, paragraph or portion of this Act be declared unconstitutional, it shall not invalidate any remaining portion thereof. April 21, 28, May 5, 12.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA MADISON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Langhorne, who, being by me first duly sworn, deposes and says that he is General Mgr. of The Huntsville Times which is and has been during the times herein mentioned, a newspaper of general circulation published in Huntsville, Madison County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 21st day of April 1947, 28th day of April 1947, 5th day of May, 1947, 12th day of May 1947, and that said publication was made without cost to the State of Alabama.

J. M. LANGHORNE,
General Manager.

Sworn to and subscribed before me this 2nd day of June, 1947.

W. P. NICHOLSON,

(SEAL)

Notary Public.

By Messrs. Davis and Vann (with notice and proof):

H. 208. To provide for exemption of property from ad valorem taxation by the City of Huntsville until the fiscal year beginning October 1, 1947, in any area which may be added to the corporate limits of the City of Huntsville by any act of the Legislature of

Alabama passed at any time during the session of such Legislature of Alabama beginning on the first Tuesday in May, 1947.

Local Legislation.

Notice and Proof H. 208:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama during its biennial session of 1947, for the passage of an Act in substance as follows:

A BILL TO BE ENTITLED AN ACT

To provide for exemption of property from ad valorem taxation by the City of Huntsville until the fiscal year beginning October 1, 1947, in any area which may be added to the corporate limits of the City of Huntsville by any act of the Legislature of Alabama passed at any time during the session of such Legislature of Alabama beginning on the first Tuesday in May, 1947.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section one. All property located in any area which may be added to the corporate limits of the City of Huntsville by any act of the Legislature of Alabama passed at any time during the session of such Legislature beginning on the first Tuesday in May, 1947, shall be exempt from ad valorem taxation by the City of Huntsville until the fiscal year beginning on October 1, 1947.

Section two. This act shall be effective upon its passage or approval by the Governor or upon its otherwise becoming a law.
April 10, 17, 24, May 1.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
MADISON COUNTY.

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Langhorne, who being by me first duly sworn, deposes and says that he is the General Manager of The Huntsville Times, which is and has been during the times herein mentioned, a newspaper of general circulation published in Madison, County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 10th day of April, 1947, 17th day of April, 1947, 24th day of April, 1947, 1st day of May, 1947, and that said publication was made without costs to the State of Alabama.

J. M. LANGHORNE,
General Manager.

Sworn to and subscribed before me this the 2nd day of June, 1947.

W. P. NICHOLSON,

Notary Public.

(SEAL)

By Mr. Davis (By Request):

H. 209. To amend Section 605 of Title 51 of the 1940 Code, which relates to licenses on business, vocations, and occupations.

Ways and Means.

By Messrs. McClendon, Mathison, Garrett, White of Perry, and Thompson of Pike:

H. 210. To prohibit the manufacture, possession, sale, or delivery within this State of adulterated or misbranded cosmetics; providing for the administration and enforcement of the Act by the Department of Agriculture and Industries; and making a violation of the Act or the rules and regulations promulgated by the Board of Agriculture and Industries a misdemeanor.

Agriculture.

By Mr. Stone:

H. 211. To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of the said salaries by the Counties of certain Judicial Circuits.

Ways and Means.

By Mr. Pinkston:

H. 212. To Amend Section 669, Title 7, Code of Alabama of 1940.

Judiciary.

By Mr. Pinkston:

H. 213. To Amend Section 365, Title 61, Code of Alabama of 1940.

Judiciary.

By Mr. Pinkston:

H. 214. To provide equality and prevent inequality in the levy and collection of taxes applicable to or paid by the Banks doing business in the State of Alabama.

Ways and Means.

By Mr. Pinkston:

H. 215. To Amend Section 665, Title 7, Code of Alabama of 1940.

Judiciary.

By Messrs. Stewart and Harris (with notice and proof):

H. 216. To alter or rearrange the boundaries of the City of Hartselle, Alabama.

Local Legislation.

Notice and Proof H. 216:

NOTICE OF LOCAL LEGISLATION.

Notice is hereby given that the following Bill will be introduced at the next session of the Legislature, to-wit, the 1947 regular session:

"AN ACT.

To alter or rearrange the boundaries of the City of Hartselle, Alabama.
 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA, THAT the boundaries of the City of Hartselle, Alabama, be altered, extended or rearranged so as to include all of Sec. 10, Sec. 11, Sec. 15, and all of that part of Sec. 14 lying north and west of Shoal Creek, all in Tp. 7, R. 4 West, in Morgan County, Alabama, the said corporate limits being more particularly described as follows, to-wit: Beginning at the north-west corner of Sec. 10, thence south two miles to the south-west corner of Sec. 15, thence east along the south line of Sec. 15 and Sec. 14 to a point where said line intersects Shoal Creek, thence along the north-westerly line or bank of Shoal Creek, as it meanders through said Sec. 14, to the point where said Creek intersects the east line of Sec. 14, thence north to the north-east corner of Sec. 11, thence west two miles to the point of beginning, all being in Tp. 7, R. 4 West, in Morgan County, Alabama."

STATE OF ALABAMA,
 MORGAN COUNTY.

Before me, Italyne Hardwick, a Notary Public in and for said County in said State, personally appeared D. K. Wiggins, who being by me first duly sworn, deposes and says on oath as follows:

My name is D. K. Wiggins. I am over twenty-one years of age. I am the owner, editor and publisher of The Hartselle Enquirer, a weekly newspaper published in and of general circulation in Hartselle, Morgan County, Alabama. The above and foregoing notice was published in said newspaper once a week for four consecutive weeks, beginning with the issue of March 27th, 1947, and ending with the issue of April 17th, 1947.

D. K. WIGGINS,
 Owner, Editor and Publisher.

Subscribed and sworn to before me, this April the 18th, 1947.

(SEAL)

ITALYNE HARDWICK,
 Notary Public.

My commission expires Jan. 6th, 1950.

By Mr. Harris:

H. 217. To simplify and provide for the pleading, practice and procedure and proof in an action against a party, or against a party and his agent, servant or employee involving the act or conduct of any agent, servant or employee.

Judiciary.

By Mr. Harris:

H. 218. To amend Section No. 119 of Title 5 of the 1940 Code of Alabama, so as to authorize banks in Alabama to pledge assets as security for deposits of county or municipal funds.

Business and Labor.

By Messrs. White (Perry), McClendon, Martin, and Ingalls:

H. 219. To amend Title 2, Sections 674 and 675 of the Code of Alabama 1940, as amended by Act. No. 499, Senate 324, approved July 8, 1943.

Agriculture.

By Messrs. White (Perry), Givhan and Thagard:

H. 220. To make appropriations to the Alabama Agricultural Experiment Station System of Alabama Polytechnic Institute for constructing, erecting, equipping, furnishing, operating and maintaining greenhouses and laboratories for study and research in floriculture.

Ways and Means.

By Messrs. Coburn, Givhan, Thompson (Pike) and Vann:

H. 221. To provide for a refund of a portion of the State tax paid on gasoline when the gasoline is used in propelling or operating tractors used exclusively for agricultural purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor.

Ways and Means.

By Messrs. Cole and Brassell (with notice and proof):

H. 222. To establish a City Commission for the City of Phenix City, Alabama; to provide for the appointment and election of the President and Mayor and members thereof and to prescribe and fix their duties; powers and responsibility and to fix their compensation; to provide for a Clerk of said Commission, fix his duty and compensation; to provide for the election or appointment of a City Attorney and a City Treasurer and to provide for their duties and compensation; to authorize the employment of a City Manager by said Commission and to provide for the officers and employees of said City and repeal all laws in conflict with the provisions of this Act.

Local Government.

Notice and Proof H. 222:

NOTICE

Notice is hereby given of the intention to apply for the introduction and passage of a local bill at the present 1947 session of the Legislature of Alabama said local bill to be substantially as follows:

A BILL TO BE ENTITLED AN ACT

To establish a City Commission for the City of Phenix City, Alabama; to provide for the appointment and election of the President and Mayor and members thereof and to prescribe and fix their duties, powers and respon-

sibility and to fix their compensation; to provide for a Clerk for said Commission, fix his duty and compensation; to provide for the election or appointment of a City Attorney and a City Treasurer and to provide for their duties and compensation; to authorize the employment of a City Manager by said Commission and to provide for the officers and employees of said City and repeal all laws in conflict with the provisions of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That there be and is hereby created a commission form of government for the City of Phenix City, Alabama, to consist of Five members to be known and called "The City Commission of the City of Phenix City, Alabama."

Section 2 The City of Phenix City shall be divided into Five city commission districts to be numbered 1, 2, 3, 4, and 5 and which are respectively described and bounded as follows:

Commission District Number 1. Beginning at a point where the center line of the right of way of the Central of Georgia railroad running from Columbus, Georgia to Opelika, Alabama, crosses the boundary line dividing the State of Alabama and the State of Georgia and from said starting point, running thence in a Northerly direction along the boundary line dividing the State of Alabama and the State of Georgia to the Northeast corner of the City limits of the City of Phenix City; thence in a Westerly direction along the North boundary line of the City of Phenix City to the center line of the Summerville Road; thence in a Southerly direction along the center line of the Summerville Road and Seventh Avenue to the point of intersection of the center line of Seventh Avenue with the center line of said right of way of the Central of Georgia Railroad; thence in an Easterly direction along the center line of said right of way of the Central of Georgia Railroad to the point of beginning.

Commission District Number 2. Beginning at a point where the center line of Seventh Avenue intersects the center line of the right of way of the Central of Georgia Railroad running from Columbus, Georgia to Opelika, Alabama, and from said starting point running thence in a Northerly direction along the center line of Seventh Avenue to Summerville Road and thence along center line of Summerville Road to the North boundary line of the City of Phenix City; thence in a Westerly direction along the North boundary line of the City of Phenix City to the Northwest corner of the City limits of City of Phenix City; thence in a Southerly direction along the West boundary line of the City limits of the City of Phenix City to the center line of the right of way of the Central of Georgia Railroad; thence in an Easterly direction along the center line of the right of way of the Central of Georgia Railroad to the point of beginning.

Commission District Number 3. Beginning at a point where the center line of Fourteenth Street bridge leading from the City of Phenix City into the City of Columbus, Georgia, crosses the boundary line dividing the State of Alabama and State of Georgia, and from said starting point running thence in a Northerly direction along the boundary line dividing the State of Alabama from the State of Georgia to the point where the center line of the right of way of the Central of Georgia Railroad running from Columbus, Georgia, to Opelika, Alabama, crosses said boundary line dividing the State of Alabama from the State of Georgia; thence in a Westerly direction along the center line of the right of way of said Central of Georgia Railroad to the West boundary line of the City limits of the City of Phenix City, Alabama; thence in a Southerly direction along the West boundary line of the City limits of the City of Phenix City to the center line of the Crawford Road or Fourteenth Street; thence along the center line of said Crawford Road and Fourteenth Street to the point of beginning.

Commission District Number 4. Beginning at a point where the intersection of the bed of Holland Creek crosses the boundary line dividing the State of Georgia and the State of Alabama, from said starting point run

thence in a Northwesterly direction along the center line of the run of Holland Creek to the point where said Holland Creek intersects Tenth Avenue; thence up Tenth Avenue to the center line of the intersection of said Tenth Avenue and Twelfth Street; thence in a Westerly direction from said point marking the center line of the intersection of Twelfth Street and Tenth Avenue run thence directly West to the West limits of the City of Phenix City; thence in a Northerly direction along the West boundary of the City of Phenix City to the center line of Fourteenth Street; thence in an Easterly direction along the center line of Fourteenth Street or Crawford Road to the Georgia-Alabama State line; thence in a Southerly direction along the Eastern boundary of the State of Alabama to the center line of Holland Creek and the point of beginning.

Commission District Number 5. Beginning at the center of the bed of Holland Creek at the point where the same crosses the boundary line of the States of Georgia and Alabama, run thence in a Northwesterly direction along the center line of Holland Creek to the point where the same intersects Tenth Avenue; thence in a Northerly direction along Tenth Avenue to the point where the center line of Tenth Avenue and the center line of Twelfth Street intersect; thence from said point run West to the West limits of the City of Phenix City; thence in a Southerly direction along the West boundary of the City of Phenix City to the Southwest corner thereof; thence in an Easterly direction along the Southern boundary of the City of Phenix City to a point where the same intersects the Chattahoochee River and the West boundary of the State of Georgia; thence up the boundary line of the States of Georgia and Alabama to the center line of Holland Creek and the point of beginning.

Section 3. On approval of this Act by the Governor, or its becoming a law, the Legislature of the State of Alabama shall forthwith nominate members of said Commission for commission districts 1 and 5, said nominated citizens to be appointed as members of said Commission by the Governor, to serve on the City Commission created by this Act until the first Monday in October, 1947 and until their successors have been duly elected and qualified.

Section 4. That the members of the Board of Commissioners of the City of Phenix City, Alabama, whose terms of office expire on the First Monday in October, 1947, and the First Monday in October, 1949, respectively, be and they are hereby appointed to serve in Commission district numbers 3 and 4, in which they respectively reside, for a term respectively ending the First Monday in October, 1947 and the First Monday in October, 1949, being the terms of office for which they were elected under the present form of government of said City prior to the adoption of this Act and upon the expiration of their terms of office a successor shall be elected who shall hold office for a period of Three years and until their successors are elected and qualified; that the member of said Board of Commissioners of the City of Phenix City, Alabama, whose term of office expires on the First Monday in October, 1948, be and he is hereby appointed a member of said City Commission from commission district number 2 to hold office until the First Monday in October, 1948, and until his successor is elected and qualified and his first successor shall hold office until the First Monday in October, 1949, and thereafter the successor to said office shall be elected for a term of Three years.

Section 5. That at the general municipal election to be held on the Third Monday in September, 1947 there shall be elected a member of said City Commission of the City of Phenix City for each of said commission districts numbers 1, 3 and 5, and the persons elected to said office as members of said commission shall hold office for a period of Three years and until their successors are elected and qualified.

Section 6. That after the expiration of the terms of office of the members of said commission hereby created have expired in the succession in which their terms expired in Sections 3, 4 and 5 and then each member of said Commission thereafter elected shall hold office from the First Monday in October in the year in which they are elected and for a period of Three

years from the First Monday in October in the year in which they are elected.

Section 7. That each member of said Commission shall be a qualified elector of said City and shall reside in the respective districts which they shall represent on said Commission, and to which they have been elected by the qualified electors of said City.

Section 8. Should a vacancy occur on said Commission the remaining members of said Commission shall elect or appoint a successor who shall hold office until the next general municipal election, at which time a successor thereto shall be elected to the unexpired term therefor.

Section 9. In all elections each office of member of said Commission to be filled shall be designated Member of City Commission being designated as such for commission districts number 1, 2, 3, 4 and 5, respectively, and this shall be shown on the ballot prepared for such election. In filing statement of candidacy each candidate shall designate for which commission district he desires election. At every election each voter shall vote for only one candidate for each office and the candidate receiving the highest number of votes for such office shall be elected, provided he receives a majority of all votes cast for such office. In case no one of such candidates shall receive a majority of such votes cast for the office for which he is a candidate another election shall be held on the same day of the following week for said office at which the two candidates receiving the highest number of votes at the initial election for said office shall be voted for. The candidate receiving the highest number of votes at such final election shall be declared elected. Each candidate for membership on said Commission shall file declaration of candidacy at least Twenty days before the general election, stating name, office for which he is a candidate, and signed by at least One Hundred qualified electors of said City.

Section 10. The City Commission created by this Act shall have, possess and exercise the municipal powers, legislative, executive and judicial, now or hereafter conferred upon municipal governmental bodies and all laws governing the City of Phenix City, and not inconsistent with the provisions of this Act, shall apply to and govern said City after it shall become organized under the Commission form of government provided by this Act. All laws, ordinances and resolutions lawfully passed and in force in Phenix City under its former organization, not inconsistent with the provisions of this Act shall remain in force until altered or repealed according to the provisions of this Act. All employees and all officers whose terms of office are abolished by this Act shall continue to hold office until otherwise provided for by said City Commission.

Section 11. All boards and commissions heretofore created having to do with the operation of the City Government of the City of Phenix City, Alabama, be and the same are hereby abolished except the management and control of the Phenix City public schools which shall remain vested in the Board of Education of said City as provided by law.

Section 12. The City of Phenix City shall be governed and managed by the City Commission as herein provided and each and every officer and employee of said City and such other officers and employees as designated in this Act shall be selected and employed by said City Commission, who shall fix their salaries and wages to be paid each employee and officer of said City and said City Commission shall prescribe and may at any time change the powers, duties and title of all subordinate officers and employees of said City, all of whom, except those herein otherwise specified, shall hold office and be removable at the pleasure of said City Commission.

Section 13. Immediately upon the passage and approval of this Act, and upon its becoming law and the appointment of the members of said Commission as herein provided, the members thereof shall immediately meet and elect a chairman who shall be ex officio mayor and president of said City Commission and he shall exercise the duties of Mayor of said City in accordance with the provisions of this Act. Said Commission shall designate the different departments of said City which shall be under the immediate jurisdiction of each of said members thereof and shall be as follows: depart-

ment of finance; department of education, parks and recreation; department of sanitation and streets; department of water-works and public utilities; department of public safety, except that the President of said Commission shall always be chairman or head of the department of public safety.

Section 14. The City Commission of the City of Phenix City is hereby authorized, at its discretion, to employ a City Manager, prescribe his authority, duties and powers, fix his liabilities, term of office not to exceed one year, fix his compensation, said authority, powers and duties of said City Manager to be determined by ordinance or resolution spread upon the minutes of said Commission. The City Manager so employed need not be a resident or qualified elector of the City.

Section 15. The City Commission shall immediately upon their election or appointment select a City Clerk, City Treasurer and City Attorney, each of whom shall hold office until the first Monday in October, 1947, and thereafter until their successors shall be elected or appointed, and thereafter for one year from the date of their election or appointment and until their successors are elected or qualified, and shall be paid such compensation as may be determined by said City Commission, and the office of City Clerk and City Treasurer may be held by one person, in the discretion of said City Commission.

Section 16. The City Commission of said City shall hold regular meetings on Tuesday of each week, at some regular hour to be fixed by said Commission from time to time, and it may hold such adjourned, called and other meetings as may be necessary and convenient. The President of said Commission, when present, shall preside at all meetings of said Commission and vote on all matters, but shall have no veto power. A majority of the total number of the members of said Commission shall constitute a quorum for the transaction of any and every business to be done by said Board and for the exercise of any and every power conferred upon it; and the affirmative vote of a majority of the total number of members of said board shall be necessary and sufficient for the passage of any resolution, by-law or ordinance, or the exercise of any powers conferred upon it by the terms of this Act or that may be hereafter conferred upon it by law. This provision shall not be construed, however, so as to prevent the said board from delegating or assigning to one or more of its members, or to such boards, commissioners, officers or employees as may be created or selected by it, the performance of such executive or judicial duties and powers that are by this Act vested in said Commission, as may be necessary or convenient, provided the same is done by resolution, by-laws or ordinance duly enacted according to the terms of this Act, where not otherwise provided. All meetings of the Commission shall be open to the public. No regulations, by-laws or ordinance granting any franchise, appropriating any money for any purpose, providing for any public improvements, enacting any regulations concerning the public comfort, public safety or public health or of any other general or permanent nature shall be enacted, except at a regular or adjourned public meeting of said board, provided that a meeting of the Commission may be called at any time to consider and act upon an emergency that involves the public safety, or public health when not otherwise herein provided. Every motion, resolution or ordinance introduced at any and every such meeting shall be reduced to writing and read before any vote thereon shall be taken and the Yeas and Nays thereon shall be recorded, a record of the proceedings of every such meeting shall be kept in a well bound book and every resolution and ordinance passed by the Commission must be recorded in such **book and record of the proceedings of the meeting** be signed by at least three of the members of the Commission and the City Clerk before the action taken shall be effective, such record shall be kept available for inspection by all citizens of this City, at all reasonable times. The City Clerk shall keep a record of all the proceedings of said City Commission and of all the records required to be kept by the Laws or by order of said Commission.

Section 17. No ordinance granting any franchise, lease or right to use the public highways, or public property of the City of Phenix City shall take

effect and be in force until Thirty days after the final enactment of the same by said Commission and publication of said ordinance as provided by law, which publication shall be made at the expense of the persons, firm or corporation applying for said grant.

Section 18. The salary of each member of said Commission shall be One Thousand and Two Hundred Dollars per year, payable by the City whatever time the member serves in equal monthly installments for on the first day of each month, except that the President or Mayor shall be paid One Thousand Five Hundred Dollars annually in monthly installment.

Section 19. The Commission shall elect a Recorder or Municipal Judge, the Recorder hereunder shall have the powers and duties now or hereafter provided by law. The salary of the recorder shall be determined by the Commission. Every person appointed or elected to this office shall, beginning on the First Monday in October, 1949, be learned in the law and nothing herein contained shall be a restriction upon his right to practice his profession.

Section 20. Each member of said Commission shall, before entering upon the duties of his office, give a good and sufficient bond, which shall be executed by a bonding company authorized to do business in Alabama, payable to and for the use and benefit of such City, in the sum of Five Thousand Dollars, conditioned upon the faithful discharge of his duties, and that he will save such City harmless from all loss caused by his neglect of duty, misfeances in office or for the willful expenditure of any moneys of the City of Phenix City in violation of law and said bond before being accepted, shall be approved by the Judge of Probate in and for the County of Russell and State of Alabama. The premium on such bond shall be paid out of the City Treasury. No member of the Commission nor any person holding an office of profit under them, shall hold any office of profit or trust of any state of the United States, or hold any county office.

Section 21. At the end of each fiscal year the books and accounts of the City of Phenix City shall be audited by a reputable disinterested accountant and such reports shall be certified to by the City Clerk and attested by the members of the commission and published in pamphlet form, and printed copies furnished to the newspapers of the City of Phenix City and to persons who apply therefor.

Section 22. Should any clause, paragraph or provision of this Act be declared unconstitutional or void by any court of competent jurisdiction it shall not affect the remaining provisions of this Act unless so declared by said Court.

Section 23. Immediately upon the passage and approval of this Act and the appointment of the Commissioners herein provided for the Board of Commissioners of the City of Phenix City, Alabama, shall immediately turn over to the City Commission hereby created all of the books, papers, records, property, money and effects of said City to the Commission hereby created.

Section 24. Should the corporate limits of the City of Phenix City, Alabama, be extended after the adoption of this Act then the City Commission be and it is hereby authorized to extend the commission districts hereby created so far as to include the territory adjacent to said commission districts in the respective districts adjoining thereto, said extension to be shown by Resolution or ordinance spread upon the minutes of said City and published at least once in a newspaper published in said City.

Section 25. This Act shall go into effect immediately upon its passage and approval by the Governor or its becoming law.

Section 26. All laws and parts of laws in conflict with this Act be and the same are hereby repealed.

P. C. 9 - 4ts.

STATE OF ALABAMA RUSSELL COUNTY

Before me, a Notary Public, in and for said County, in said State, personally appeared Isabel A. Moses, who being known to me, after first having been duly sworn, deposes and says:

That she is the Publisher of the Phenix-Girard Journal, a newspaper published in Phenix City, Russell County, Alabama, and having general circulation in said County and that the attached notice of the intention to apply for the passage of a local law affecting said Russell County was published in said newspaper once a week for four consecutive weeks in its issues of February 28th, March 7th, March 14th, and March 21st, 1947; that said newspaper was printed all in Alabama and published in Russell County, Alabama, and is printed in the English language and has a general circulation in said County of Russell in which it is published and said newspaper had been mailed under the second class mailing privileges of the United States Post-Office in Phenix City, Alabama where it is published for fifty-two weeks prior to the first publication of said notice in said newspaper.

ISABEL A. MOSES.

Sworn to and subscribed before me this the 2nd day of May 1947.

ISAAC J. MOSES,

Notary Public.

(SEAL)

By Messrs. Brassell, Cole and Roberts:

H. 223. To Amend Sections 60 and 61 of Title 36, Code of Alabama 1940.

Ways and Means.

By Mr. Brassell:

H. 224. To amend Section 5 of Title 29 of the 1940 Code of Alabama, which relates to the functions, duties, and powers of the Alabama Alcoholic Beverages Control Board.

Judiciary.

By Mr. Malone:

H. 225. It shall be unlawful, after the passage of this act, for any person receiving a salary or other regular compensation, in whole or in part, from the State, from any institution of the State, or from any public agency created by the State or receiving funds from the State, to directly or indirectly engage in any political campaign or activity; to make the violation of the provisions of the act a misdemeanor; to fix the penalty for its violation; and to make the provisions of the act inapplicable to any candidate for or any holder of any elective public office.

Judiciary.

By Mr. Snodgrass:

H. 226. To make appropriation of Three Hundred Thousand Dollars (\$300,000.00), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

Ways and Means.

By Messrs. Ganey and Leonard:

H. 227. To appropriate \$50,000.00 to the Alabama Institute for Deaf and Blind for the purpose of purchasing tools, machinery, supplies, and other necessary equipment for the trade shops of the Institute, and for the purpose of purchasing musical instruments for the band of said Institute.

Ways and Means.

By Messrs. Leonard and Ganey (with notice and proof):

H. 228. To fix the salary of the Deputy Solicitor of Talladega County, Alabama.

Local Legislation.

Notice and Proof H. 228:

NOTICE

Notice is hereby given that application to the Legislature will be made for passage and approval of the following local Act:

"AN ACT

To fix the salary of the Deputy Solicitor of Talladega County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the salary of the Deputy Solicitor for Talladega County, Alabama, be, and the same is hereby fixed at the sum of Twenty Four Hundred (\$2400.00) Dollars per year, payable in monthly installments of Two Hundred (\$200.00) Dollars per month, payable out of the General Fund of Talladega County, Alabama.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this act shall go into effect immediately upon its passage and approval by the Governor." 14-21-28

THE STATE OF ALABAMA,
TALLADEGA COUNTY.

Personally appeared before me, a Notary Public in and for said County, Tom Abernethy, who being duly sworn according to law, deposes and says that he is the editor of the Talladega Daily Home a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: April 7, 1947, April 14, 1947, April 21, 1947, April 28, 1947.

TOM ABERNETHY.

Subscribed and sworn to before me this 31 day of May 1947.

EMMA HUEY,

(SEAL)

Notary Public.

By Mr. Ganey:

H. 229. To provide for the appointment of a Chief Clerk by the Circuit Solicitor in all judicial circuits that now is or may hereafter be composed of only three counties, two of which such counties each now have or may hereafter have a population of more than fifty thousand (50,000) according to the last or any subsequent federal census, and said circuit having only two judges, to fix the term of office and to require said Chief Clerk, in addition to his work as Chief Clerk, to do stenographic and secretarial work and investigations for said Solicitor, to fix the compensation of said Chief Clerk, to provide that said compensation shall be paid

out of the General Funds of the counties composing said judicial circuits and how the same shall be paid.

Judiciary.

By Messrs. Shelton and Callahan:

H. 230. To repeal Act 437, approved July 6, 1945, entitled "An Act To limit the jurisdiction and powers of justices of peace in criminal cases in counties which now or hereafter, according to the most recent Federal census, may have populations between 75,000 and 100,000."

Local Government.

By Mr. Callahan:

H. 231. To amend Section 543, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Mr. Callahan:

H. 232. To amend Section 542, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Mr. Callahan:

H. 233. To amend Section 499, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Mr. Callahan.

H. 234. To amend Section 496, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Mr. Callahan.

H. 235. To amend Section 613, Title 51, Code of Alabama 1940, as amended by an Act entitled an Act to amend Section 613, Title 51, Code of Alabama 1940, Act No. 207, General Acts Regular Session 1943, approved June 22, 1943, page 185.

Ways and Means.

By Mr. Wood (Washington) (with notice and proof):

H. 236. To amend Section 2 of Act 216, approved May 28, 1931, entitled, "An Act To preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district and the Judge of Probate of said county a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix their salaries, to repeal an act approved August 20, 1927, of the local acts of 1927 on page

234 thereof", by increasing the automobile allowance of the commissioners.

Local Legislation.

Notice and Proof H. 236:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act 216, approved May 28, 1931, entitled, "An Act to preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district and the Judge of Probate of said county a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix their salaries, to repeal an act approved August 20, 1927, of the local acts of 1927 on page 234 thereof", by increasing the automobile allowance of the commissioners.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 2 of Act 216, approved May 28, 1931, which relates to the court of commissioners and the board of road supervisors of Washington County, is amended to read: "The commissioners from each of the districts and the judge of probate of the county, in addition to their duties as a court of county commissioners shall constitute a board of road supervisors. As a supervisor, each commissioner shall receive, in addition to the per diem and mileage provided by law for county commissioners, the additional sum of seventy-five dollars per month, and also an additional sum of Seventy-five dollars per month for the use of his personally owned automobile, provided he uses the same in the discharge of his duties as road supervisor. The judge of probate shall receive for his services as a member of the board of supervisors, in addition to the per diem provided by law for county commissioners, the additional sum of fifty dollars per month, which shall be in lieu of the allowance for ex officio road services provided for by Section 28 of Title 11 of the 1940 Code. The allowances provided for herein shall be paid out of the treasury of the county by warrants drawn by the judge of probate on order of the court of commissioners."

3-27-4t

STATE OF ALABAMA,
WASHINGTON COUNTY:

I, W. M. Pickard, Editor of the Washington County News, a newspaper published at Chatom, Washington County, Alabama, do hereby certify that a copy of the notice of Proposed Amendment, as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement, thereof, for 4 consecutive weeks, commencing with the issue dated Mch. 27, 1947, and ending with the issue dated April 17, 1947. I further certify that I have the right and authority to make this affidavit.

W. M. PICKARD.

Sworn to and subscribed before me on this, the 14 day May 1947.
(SEAL)

HOWARD SCOTT.

By Mr. Wood (Washington):

H. 237. To appropriate the sum of Ninety-five Thousand and no/100 (\$95,000.00) Dollars out of any moneys in the State Treasury not otherwise appropriated for each of the fiscal years ending

September 30, 1948 and September 30, 1949, to the Department of Conservation for the use and benefit of the Division of State Parks, Monuments, and Historical Sites. To provide for the expenditure of this appropriation and to provide for the effective date of this Act.

Ways and Means.

By Mr. Wood (Washington):

H. 238. To levy a privilege or license tax against persons, firms, or corporations engaged in the business of conducting or operating any exhibition, display, amusement, or entertainment; providing for assessment, collection, and distribution of the tax; and prescribing penalties for violations of this Act.

Ways and Means.

By Messrs. Wood (Washington) and Evans:

H. 239. To provide that no bona fide resident shall pay instructional fees, course fees, or tuition for attending a State institution of higher learning.

Education.

By Messrs. Knight, Pinkston, Taylor (Hale), Buckner, Denton, Mathison, Lovelace, Sightler, White (Covington), Ward, Haynes (Franklin), Bennett, Evans, Snodgrass, Merrill, Busby, Thompson (Crenshaw), Weaver, McDonald, Head, Pinson, Meeks, Cole, Coburn, Dobbs (Fayette), Brassell, George, Adams (Dale), Nettles, Callahan, Shelton, Benford, Still, Hankins, Pruitt, O'Neal, McClendon, Wood (Washington), Black, Cox, McDaniel, Leonard, Thompson (Pike), Larkins, Ganey, Bush, Wallace, Nelson, Dobbs (Elmore), Roberts, Doughty, Givhan, Gillis, Cobb, and Brown.

H. 240. To make an appropriation to the State Department of Public Welfare for each of the fiscal years 1947-48 and 1948-49.

Ways and Means.

COMMITTEE APPOINTMENT

The speaker announced the appointment of Mr. Buckner as a member of the Standing Committee on Public Health, to succeed the Hon. John F. Hankins, deceased.

BILLS ON THIRD READING

H. 47. To amend Sections 10 and 11 of an Act approved August 3, 1927, entitled an Act to establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tus-

caloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | McDanal | Sightler |
| Adams (Dale) | Dumas | McDonald | Snodgrass |
| Adams (Jefferson) | Evans | Martin | Still |
| Barnett | Faulk | Mason | Stone |
| Beatty | Gibson | Mathison | Sullivan |
| Bennett | Givhan | Meeks | Taylor (Autauga) |
| Black | Hankins | Merrill | Taylor (Hale) |
| Brannan | Harrison | Molette | Thagard |
| Brassell | Haynes (Franklin) | Nelson | Thomas |
| Buckner | Haynes (Lowndes) | Pruitt | Thompson (Pike) |
| Busby | Head | Ramey | Tucker |
| Bush | Inzer | Richardson | Wallace |
| Callahan | Johnston | Roberts | Ward |
| Cobb | Knight | Robinson | Weaver |
| Coburn | Larkins | Sadler | White (Covington) |
| Cole | Leonard | Sellers | White (Perry) |
| Cox | Lovelace | Shelton | Wood (Bibb) |
| Denton | McClendon | Shirley | Wood (Washington) |
| Dobbs (Elmore) | | | |

—73

And the bill:

H. 17. To authorize the Board of Revenue of Calhoun County, Alabama to purchase radios, machine guns, ammunition, and any other equipment that the said Board of Revenue may deem necessary for proper law enforcement for the use of the Sheriff of Calhoun County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Knight | Shirley |
| Adams (Dale) | Dobbs (Elmore) | Larkins | Sightler |
| Adams (Jefferson) | Duffee | Leonard | Snodgrass |
| Barnett | Dumas | McClendon | Stewart |
| Beatty | Evans | McDanal | Still |
| Benford | Faulk | McDonald | Stone |
| Bennett | Garrett | Martin | Sullivan |
| Black | George | Mason | Taylor (Autauga) |
| Brannan | Gibson | Mathison | Taylor (Hale) |
| Brassell | Gillis | Merrill | Thagard |
| Broadwater | Hankins | Nelson | Thomas |
| Buckner | Harris | Pruitt | Thompson (Pike) |
| Busby | Harrison | Ramey | Tucker |
| Bush | Haynes (Franklin) | Richardson | Wallace |
| Callahan | Haynes (Lowndes) | Roberts | Ward |
| Cobb | Head | Robinson | Weaver |
| Coburn | Hornsby | Sadler | White (Covington) |
| Cole | Inzer | Sellers | White (Perry) |
| Cox | Johnston | Shelton | Wood (Bibb) |
| Crocker | | | |

—77

And the bill:

H. 43. Relating to privilege licenses; levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Greene County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Leonard | Shelton |
| Adams (Dale) | Dobbs (Elmore) | McClendon | Shirley |
| Adams (Jefferson) | Dobbs (Fayette) | McDanal | Sightler |
| Beatty | Doughty | McDonald | Snodgrass |
| Benford | Duffee | Martin | Stewart |
| Bennett | Dumas | Mason | Still |
| Black | Evans | Mathison | Stone |
| Brannan | Faulk | Meeks | Sullivan |
| Brassell | Gibson | Merrill | Taylor (Autauga) |
| Broadwater | Givhan | Molette | Taylor (Hale) |
| Buckner | Hankins | Nelson | Thomas |
| Busby | Harris | Pinson | Thompson (Pike) |
| Bush | Harrison | Pruitt | Tucker |
| Callahan | Haynes (Franklin) | Ramey | Wallace |
| Cobb | Haynes (Lowndes) | Richardson | Ward |
| Coburn | Head | Roberts | Weaver |
| Cole | Hornsby | Robinson | White (Covington) |
| Cox | Inzer | Sadler | White (Perry) |
| Crocker | Knight | Sellers | |

—75

And the bill:

H. 22. To amend Section 2 of Act 156, Local Acts, 1927, entitled, "To provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office", approved July 15, 1927, by changing the annual salary of the County Superintendent of Education of Choctaw County from twenty-five hundred dollars to thirty-six hundred dollars.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | McDonald | Sightler |
| Adams (Dale) | Dobbs (Fayette) | Martin | Snodgrass |
| Adams (Jefferson) | Doughty | Mason | Stewart |
| Beatty | Duffee | Mathison | Still |
| Benford | Dumas | Meeks | Stone |
| Bennett | Evans | Merrill | Sullivan |
| Brannan | Faulk | Molette | Taylor (Autauga) |
| Brassell | Gibson | Nelson | Taylor (Hale) |
| Broadwater | Givhan | Pinson | Thomas |
| Busby | Hankins | Pruitt | Thompson (Pike) |
| Bush | Harris | Ramey | Tucker |
| Callahan | Harrison | Richardson | Wallace |
| Cobb | Haynes (Franklin) | Roberts | Ward |
| Coburn | Haynes (Lowndes) | Robinson | Weaver |
| Cole | Inzer | Sadler | White (Covington) |
| Cox | Johnston | Sellers | White (Perry) |
| Crocker | Knight | Shelton | Wood (Bibb) |
| Denton | McClendon | Shirley | |

—75

And the bill:

H. 21. To provide further for the registration and payment of claims against the fine and forfeiture fund of Choctaw County which were outstanding on June 9, 1945.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|-----------|
| Mr. Speaker | Bush | Evans | Inzer |
| Adams (Dale) | Callahan | Faulk | Johnston |
| Adams (Jefferson) | Cobb | Frasier | Knight |
| Barnett | Coburn | Gibson | Leonard |
| Beatty | Cole | Givhan | McClendon |
| Benford | Cox | Dumas | McDanal |
| Bennett | Crocker | Hankins | McDonald |
| Brannan | Denton | Harris | Martin |
| Brassell | Dobbs (Elmore) | Harrison | Mason |
| Broadwater | Dobbs (Fayette) | Haynes (Franklin) | Mathison |
| Buckner | Doughty | Haynes (Lowndes) | Meeks |
| Busby | Duffee | Head | Merrill |

| | | | |
|------------|-----------|------------------|-------------------|
| Molette | Sadler | Stone | Wallace |
| Nelson | Sellers | Sullivan | Ward |
| Norman | Shelton | Taylor (Autauga) | Weaver |
| Pinson | Shirley | Taylor (Hale) | Whitcomb |
| Pruitt | Sightler | Thagard | White (Covington) |
| Ramey | Snodgrass | Thomas | White (Perry) |
| Richardson | Stewart | Thompson (Pike) | Wood (Bibb) |
| Roberts | Still | Tucker | Wood (Washington) |
| Robinson | | | |

—81

And the bill:

H. 128. To allow the Sheriff of Cleburne County, Alabama, two additional deputies; to provide for the fixing of the salaries of said deputies and to make the same payable out of the General Funds of Cleburne County in monthly installments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | McDanal | Snodgrass |
| Adams (Dale) | Dobbs (Fayette) | McDonald | Stewart |
| Adams (Jefferson) | Doughty | Martin | Still |
| Barnett | Dumas | Mason | Stone |
| Beatty | Evans | Mathison | Sullivan |
| Benford | Faulk | Meeks | Taylor (Autauga) |
| Brannan | Gibson | Merrill | Taylor (Hale) |
| Brassell | Givhan | Nelson | Thagard |
| Broadwater | Hankins | Pinson | Thomas |
| Buckner | Harris | Pruitt | Thompson (Pike) |
| Busby | Harrison | Ramey | Tucker |
| Bush | Haynes (Franklin) | Richardson | Wallace |
| Callahan | Haynes (Lowndes) | Roberts | Ward |
| Cobb | Head | Robinson | Weaver |
| Coburn | Hornsby | Sadler | Whitcomb |
| Coie | Inzer | Sellers | White (Covington) |
| Cox | Johnston | Shelton | White (Perry) |
| Crocker | Knight | Shirley | Wood (Bibb) |
| Denton | McClendon | Sightler | Wood (Washington) |

—76

And the bill:

H. 117. To amend Section 2 of an Act approved May 28, 1943, fixing the salary of the Deputy Circuit Clerk of Russell County, Alabama, and providing the method of payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|-------------------|---------|------------|----------|
| Mr. Speaker | Beatty | Brannan | Busby |
| Adams (Dale) | Benford | Brassell | Bush |
| Adams (Jefferson) | Bennett | Broadwater | Callahan |
| Barnett | Black | Buckner | Cobb |

| | | | |
|-----------------|-------------------|------------|-------------------|
| Cole | Harris | Mathison | Still |
| Cox | Harrison | Molette | Stone |
| Crocker | Haynes (Franklin) | Nelson | Sullivan |
| Denton | Haynes (Lowndes) | Pinson | Taylor (Autauga) |
| Dobbs (Elmore) | Head | Ramey | Thomas |
| Dobbs (Fayette) | Hornsby | Richardson | Thompson (Pike) |
| Doughty | Inzer | Roberts | Tucker |
| Duffee | Johnston | Robinson | Wallace |
| Evans | Knight | Sadler | Ward |
| Faulk | McClendon | Sellers | Weaver |
| Frasier | McDanal | Shelton | Whitcomb |
| Gibson | McDonald | Shirley | White (Covington) |
| Givhan | Martin | Snodgrass | White (Perry) |
| Hankins | Mason | Stewart | Wood (Bibb) |

—72

And the bill:

H. 118. To establish for the municipality of Phenix City a pension and relief system for the benefit of fireman and policeman: creating for that purpose a fund, the revenues of which shall be derived from deductions from the salaries of participating firemen and policemen, from contributions made by the city, from fees, donations, rewards, and gratuities paid participating firemen and policemen for special services, from the annual privilege license tax on fire and marine insurance companies, from receipts by the city of income from contraband liquor, and from penalties, forfeitures, gifts, and other sources; imposing specific duties upon the city clerk and city attorney in connection with the administration of the Act; and prescribing penalties for violations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | McClendon | Sightler |
| Adams (Dale) | Dobbs (Fayette) | McDanal | Snodgrass |
| Adams (Jefferson) | Doughty | McDonald | Stewart |
| Beatty | Duffee | Martin | Still |
| Benford | Dumas | Mason | Stone |
| Bennett | Evans | Mathison | Sullivan |
| Black | Faulk | Meeks | Taylor (Autauga) |
| Brannan | Frasier | Merrill | Taylor (Hale) |
| Brassell | Gibson | Molette | Thagard |
| Broadwater | Givhan | Nelson | Thomas |
| Buckner | Hankins | Pinson | Thompson (Pike) |
| Busby | Harris | Ramey | Tucker |
| Bush | Harrison | Richardson | Wallace |
| Callahan | Haynes (Franklin) | Roberts | Ward |
| Cobb | Haynes (Lowndes) | Robinson | Weaver |
| Cole | Head | Sadler | Whitcomb |
| Cox | Inzer | Sellers | White (Covington) |
| Crocker | Johnston | Shelton | White (Perry) |
| Denton | Larkins | Shirley | Wood (Bibb) |

—76

And the bill:

H. 119. To authorize the Sheriff of Russell County to appoint an additional deputy sheriff; to fix the salary of the deputy, and to require him to give bond.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Denton | Larkins | Sightler |
| Adams (Dale) | Dobbs (Elmore) | McClendon | Snodgrass |
| Adams (Jefferson) | Dobbs (Fayette) | McDonald | Stewart |
| Barnett | Doughty | Martin | Still |
| Beatty | Duffee | Mason | Stone |
| Benford | Dumas | Mathison | Sullivan |
| Bennett | Evans | Meeks | Taylor (Autauga) |
| Black | Faulk | Merrill | Taylor (Hale) |
| Brannan | Frasier | Molette | Thagard |
| Brassell | Gibson | Nelson | Thomas |
| Broadwater | Givhan | Pinson | Thompson (Pike) |
| Buckner | Hankins | Ramey | Tucker |
| Busby | Harris | Richardson | Wallace |
| Bush | Harrison | Roberts | Ward |
| Callahan | Haynes (Lowndes) | Robinson | Weaver |
| Cobb | Head | Sadler | White (Covington) |
| Cole | Inzer | Sellers | White (Perry) |
| Cox | Johnston | Shelton | Wood (Bibb) |
| Crocker | Knight | Shirley | Wood (Washington) |

—76

And the bill:

H. 120. To provide for the municipality of Phenix City a civil service system governing the appointment removal, salaries, tenure, and official conduct of employees and officers of the police and fire departments of the city, defining violations of the Act, and imposing penalties for violations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|------------|
| Mr. Speaker | Callahan | Givhan | Malone |
| Adams (Dale) | Cobb | Hankins | Martin |
| Adams (Jefferson) | Cole | Harris | Mason |
| Barnett | Cox | Harrison | Mathison |
| Beatty | Crocker | Haynes (Franklin) | Merrill |
| Benford | Denton | Haynes (Lowndes) | Nelson |
| Bennett | Dobbs (Elmore) | Head | Pinson |
| Black | Dobbs (Fayette) | Inzer | Ramey |
| Brannan | Doughty | Johnston | Richardson |
| Brassell | Duffee | Knight | Roberts |
| Broadwater | Dumas | Larkins | Robinson |
| Buckner | Evans | McClendon | Sadler |
| Busby | Faulk | McDanal | Sellers |
| Bush | Gibson | McDonald | Shelton |

| | | | |
|-----------|------------------|-----------------|-------------------|
| Shirley | Sullivan | Thompson (Pike) | White (Covington) |
| Sightler | Taylor (Autauga) | Tucker | White (Perry) |
| Snodgrass | Taylor (Hale) | Wallace | Wood (Bibb) |
| Stewart | Thagard | Ward | Wood (Washington) |
| Stone | Thomas | Weaver | —75 |

And the bill:

H. 124. To repeal an Act approved September 9, 1927, entitled "An Act to provide for the establishment and creation of a water-works Commission for the City of Phenix City: To prescribe their number and provide for their election or appointment, and prescribe their terms of office: To prescribe their qualifications; To prescribe their oath of office; To fix said Commission's duties and powers: To provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties: To prescribe and fix the meetings of said Commission; To prescribe the name of said Commission; To fix the bond of the Clerk and Treasurer of said Commission: To provide for and prescribe the duties and powers of said Commission; To provide for the employees of said Commission: To prescribe the manner of execution of contracts by said Commission: To provide a seal for said Commission: To provide that said Commission may make temporary loans: To provide for an Attorney for said Commission: To provide for the establishment of an office by said Commission: To provide for the auditing of the books and accounts of said Commission and the making of reports of the financial condition of said Commission to the governing authorities of said City of Phenix City, and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | McClendon | Sightler |
| Adams (Dale) | Dobbs (Fayette) | McDanal | Snodgrass |
| Adams (Jefferson) | Doughty | McDonald | Stewart |
| Barnett | Duffee | Malone | Still |
| Beatty | Dumas | Martin | Stone |
| Benford | Evans | Mason | Sullivan |
| Bennett | Faulk | Mathison | Taylor (Autauga) |
| Black | Frasier | Meeks | Taylor (Hale) |
| Brannan | Gibson | Merrill | Thagard |
| Brassell | Givhan | Molette | Thomas |
| Broadwater | Hankins | Nelson | Thompson (Pike) |
| Buckner | Harris | Pinson | Tucker |
| Busby | Harrison | Ramey | Wallace |
| Bush | Haynes (Franklin) | Richardson | Ward |
| Callahan | Haynes (Lowndes) | Roberts | Weaver |
| Cobb | Head | Robinson | White (Covington) |
| Cole | Inzer | Sadler | White (Perry) |
| Cox | Johnston | Sellers | Wood (Bibb) |
| Crocker | Knight | Shelton | Wood (Washington) |
| Denton | Larkins | Shirley | —79 |

And the bill:

H. 125. To create a hospital commission for the City of Phenix City, Alabama, to provide its duties, powers and authority to operate hospitals and to provide a plan for hospitalization by collection of fees on a weekly or monthly basis from those desiring hospital service.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | McDana | Shirley |
| Adams (Dale) | Dobbs (Elmore) | McDonald | Sightler |
| Beatty | Dobbs (Fayette) | Malone | Snodgrass |
| Benford | Doughty | Martin | Still |
| Bennett | Duffee | Mason | Stone |
| Black | Evans | Mathison | Sullivan |
| Brannan | Faulk | Meeks | Taylor (Autauga) |
| Brassell | Gibson | Merrill | Taylor (Hale) |
| Broadwater | Givhan | Molette | Thagard |
| Brown | Hankins | Nelson | Thompson (Pike) |
| Buckner | Harrison | Pinson | Tucker |
| Busby | Haynes (Franklin) | Ramey | Wallace |
| Bush | Haynes (Lowndes) | Richardson | Ward |
| Callahan | Head | Roberts | Weaver |
| Cobb | Hornsby | Robinson | White (Covington) |
| Coburn | Inzer | Sadler | White (Perry) |
| Cole | Johnston | Sellers | Wood (Bibb) |
| Cox | Knight | Shelton | Wood (Washington) |
| Crocker | McClendon | | |

—74

And the bill:

H. 126. To submit to the qualified voters of the State of Alabama, at the next general election succeeding the present Legislature, for their consideration an amendment to the Constitution of Alabama so as to authorize and empower the Legislature of Alabama, from time to time, by general or local laws to fix, regulate and alter the fees, commission, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessor, Tax Collector, Probate Judge, Circuit Clerk, Sheriff, and Register of the Circuit or Chancery Court, in Talladega County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

| | | | |
|-------------------|----------|------------|----------|
| Mr. Speaker | Benford | Broadwater | Callahan |
| Adams (Dale) | Bennett | Brown | Cobb |
| Adams (Jefferson) | Black | Buckner | Coburn |
| Barnett | Brannan | Busby | Cole |
| Beatty | Brassell | Bush | Cox |

| | | | |
|-------------------|------------------|------------|---------------------|
| Crocker | Haynes (Lowndes) | Molette | Stone |
| Denton | Head | Nelson | Sullivan |
| Dobbs (Elmore) | Hornsby | Norman | Taylor (Autauga) |
| Dobbs (Fayette) | Inzer | Pinson | Taylor (Hale) |
| Doughty | Johnston | Ramey | Thomas |
| Duffee | Knight | Richardson | Thompson (Crenshaw) |
| Dumas | Larkins | Roberts | Thompson (Pike) |
| Faulk | McClendon | Robinson | Tucker |
| Frasier | McDanal | Sadler | Wallace |
| George | McDonald | Sellers | Ward |
| Gibson | Malone | Shelton | Weaver |
| Givhan | Martin | Shirley | White (Covington) |
| Hankins | Mason | Sightler | White (Perry) |
| Harris | Mathison | Snodgrass | White (Bibb) |
| Harrison | Meeks | Stewart | Wood (Washington) |
| Haynes (Franklin) | Merrill | Still | |

—83

And the bill:

H. 85. To propose an amendmen to the Constitutoin of Alabama relative to regulating the costs and charges of courts and the fees, commissions, allowances, and salaries of certain public officers of Limestone County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Crocker | Larkins | Shirley |
| Adams (Dale) | Denton | McClendon | Sightler |
| Adams (Jefferson) | Dobbs (Elmore) | McDanal | Snodgrass |
| Barnett | Dobbs (Fayette) | McDonald | Stewart |
| Beatty | Doughty | Martin | Still |
| Benford | Duffee | Mason | Stone |
| Bennett | Dumas | Mathison | Sullivan |
| Black | Evans | Meeks | Taylor (Autauga) |
| Brannan | Faulk | Merrill | Taylor (Hale) |
| Brassell | Gibson | Molette | Thagard |
| Broadwater | Hankins | Nelson | Thomas |
| Brown | Harris | Norman | Thompson (Pike) |
| Buckner | Harrison | Pinson | Tucker |
| Busby | Haynes (Franklin) | Ramey | Wallace |
| Bush | Haynes (Lowndes) | Richardson | Ward |
| Callahan | Head | Roberts | Weaver |
| Cobb | Hornsby | Robinson | White (Covington) |
| Coburn | Inzer | Sadler | White (Perry) |
| Cole | Johnston | Sellers | Wood (Bibb) |
| Cox | Knight | Shelton | Wood (Washington) |

—80

And the bill:

H. 73. To amend Section 90, Article 2, Chapter 3, Title 36, Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Davis | McClendon | Shirley |
| Adams (Dale) | Denton | McDanal | Sightler |
| Adams (Jefferson) | Dobbs (Elmore) | McDonald | Snodgrass |
| Barnett | Dobbs (Fayette) | Martin | Stewart |
| Beatty | Doughty | Mason | Still |
| Benford | Duffee | Mathison | Stone |
| Bennett | Dumas | Meeks | Sullivan |
| Black | Evans | Merrill | Taylor (Autauga) |
| Brannan | Faulk | Molette | Taylor (Hale) |
| Brassell | Gibson | Nelson | Thagard |
| Broadwater | Hankins | Pinson | Thomas |
| Brown | Harris | Pruitt | Thompson (Pike) |
| Buckner | Harrison | Ramey | Tucker |
| Busby | Haynes (Franklin) | Richardson | Wallace |
| Bush | Haynes (Lowndes) | Roberts | Ward |
| Callahan | Head | Robinson | Weaver |
| Cobb | Inzer | Sadler | White (Covington) |
| Coburn | Johnston | Sellers | White (Perry) |
| Cox | Knight | Shelton | Wood (Bibb) |
| Crocker | Larkins | | |

—78

And the bill:

H. 24. To amend Section 251 of Title 29 of the 1940 Code of Alabama, which relates to the distribution and disposition of funds derived from the sale of contraband or forfeited property under the "Alcoholic Beverage Control Law."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Knight | Sellers |
| Adams (Dale) | Dobbs (Elmore) | Larkins | Shelton |
| Adams (Jefferson) | Dobbs (Fayette) | Lovlace | Shirley |
| Barnett | Doughty | McClendon | Sightler |
| Beatty | Duffee | McDanal | Snodgrass |
| Benford | Dumas | McDonald | Stewart |
| Bennett | Evans | Malone | Still |
| Black | Faulk | Martin | Stone |
| Brannan | Frasier | Mason | Sullivan |
| Brassell | Garrett | Mathison | Taylor (Autauga) |
| Brown | Gibson | Meeks | Taylor (Hale) |
| Buckner | Hankins | Merrill | Thagard |
| Busby | Harris | Molette | Thomas |
| Bush | Harrison | Pinson | Thompson (Pike) |
| Callahan | Haynes (Franklin) | Pruitt | Wallace |
| Coburn | Haynes (Lowndes) | Ramey | Ward |
| Cole | Head | Richardson | Weaver |
| Cox | Hornsby | Roberts | White (Covington) |
| Crocker | Inzer | Robinson | Wood (Bibb) |
| Davis | Johnston | Sadler | |

—79

And the bill:

H. 89. To enable the State of Alabama to enter into a compact with other states for the purpose of promotion and better utiliza-

tion of the fisheries of the Gulf of Mexico to be known as the Gulf States Marine Fisheries Compact to provide for representatives to the commission created thereby, and to provide an appropriation therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Leonard | Shirley |
| Adams (Dale) | Dobbs (Elmore) | Lovelace | Sightler |
| Adams (Jefferson) | Dobbs (Fayette) | McClendon | Snodgrass |
| Barnett | Doughty | McDanal | Stewart |
| Beatty | Duffee | McDonald | Still |
| Benford | Dumas | Martin | Stone |
| Bennett | Evans | Mason | Sullivan |
| Black | Faulk | Mathison | Taylor (Autauga) |
| Brannan | Frasier | Meeks | Taylor (Hale) |
| Broadwater | Ganey | Merrill | Thagard |
| Brown | Garrett | Molette | Thomas |
| Buckner | Gibson | Nelson | Thompson (Pike) |
| Busby | Hankins | Pinson | Tucker |
| Bush | Harris | Pruitt | Wallace |
| Callahan | Harrison | Ramey | Ward |
| Cobb | Haynes (Franklin) | Richardson | Weaver |
| Coburn | Head | Roberts | White (Covington) |
| Cole | Inzer | Robinson | White (Perry) |
| Cox | Johnston | Sadler | Wood (Bibb) |
| Crocker | Knight | Sellers | Wood (Washington) |
| Davis | Larkins | Shelton | —83 |

And the bill:

H. 16. To amend Section 36 of Title 34 of the Code of Alabama of 1940.

Was taken up.

Mr. Thagard offered the following amendment to H. 16:

Amendment to H. 16. By Mr. Thagard

Amend proposed Section 36 by having the second sentence thereof, read as follows:

"Such decree, either now existing or hereinafter rendered, may, upon proper showing and after due notice, be set aside or modified by the court as justice may require, upon application of either party to the cause."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

| | | | |
|-------------------|------------|----------|-----------------|
| Mr. Speaker | Bennett | Buckner | Cox |
| Adams (Dale) | Black | Bush | Crocker |
| Adams (Jefferson) | Brannan | Callahan | Davis |
| Barnett | Brassell | Cobb | Denton |
| Beatty | Broadwater | Coburn | Dobbs (Elmore) |
| Benford | Brown | Cole | Dobbs (Fayette) |

| | | | |
|-------------------|-----------|------------|-------------------|
| Doughty | Inzer | Merrill | Stewart |
| Duffee | Johnston | Molette | Stone |
| Dumas | Knight | Nelson | Sullivan |
| Evans | Larkins | Pruitt | Taylor (Autauga) |
| Faulk | Leonard | Ramey | Taylor (Hale) |
| Ganey | Loveland | Richardson | Thagard |
| Garrett | McClendon | Roberts | Thomas |
| Gibson | McDanal | Robinson | Thompson (Pike) |
| Givhan | McDonald | Sadler | Wallace |
| Hankins | Malone | Sellers | Ward |
| Harris | Martin | Shelton | Weaver |
| Harrison | Mason | Shirley | White (Covington) |
| Haynes (Franklin) | Mathison | Sightler | White (Perry) |
| Head | Meeks | Snodgrass | Wood (Washington) |

—80

And said bill, H. 16, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Loveland | Sightler |
| Adams (Dale) | Dobbs (Fayette) | McDonald | Snodgrass |
| Adams (Jefferson) | Doughty | Martin | Stewart |
| Barnett | Dumas | Mason | Still |
| Benford | Evans | Mathison | Stone |
| Bennett | Faulk | Meeks | Sullivan |
| Black | Ganey | Merrill | Taylor (Autauga) |
| Brannan | Garrett | Molette | Taylor (Hale) |
| Brassell | Gibson | Nelson | Thagard |
| Brown | Givhan | Pruitt | Thomas |
| Buckner | Hankins | Ramey | Thompson (Pike) |
| Bush | Harris | Richardson | Vann |
| Callahan | Harrison | Roberts | Wallace |
| Coburn | Head | Robinson | Ward |
| Cole | Inzer | Sadler | Weaver |
| Cox | Johnston | Sellers | White (Covington) |
| Crocker | Knight | Shelton | White (Perry) |
| Davis | Larkins | Shirley | Wood (Washington) |
| Denton | | | |

—73

BILL POSTPONED

On motion of Mr. Stone the bill, H. 4, was postponed until the Fifth Legislative Day.

BILL INDEFINITELY POSTPONED

On motion of Mr. Haynes of Franklin the bill, H. 34, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 110. To amend Section 54, Title 17, Code of Alabama 1940, and to further prescribe the duties of the boards of registrars of the several counties of the State.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | McDanal | Sightler |
| Adams (Dale) | Dobbs (Fayette) | McDonald | Snodgrass |
| Adams (Jefferson) | Duffee | Malone | Still |
| Barnett | Dumas | Martin | Stone |
| Beatty | Faulk | Mason | Sullivan |
| Benford | Frasier | Mathison | Taylor (Autauga) |
| Bennett | Ganey | Meeks | Taylor (Hale) |
| Black | Garrett | Merrill | Thagard |
| Brannan | Gibson | Molette | Thomas |
| Brown | Hankins | Nelson | Thompson |
| Buckner | Harrison | Pruitt | son (Crenshaw) |
| Busby | Haynes (Franklin) | Ramey | Thompson (Pike) |
| Bush | Haynes (Lowndes) | Richardson | Wallace |
| Callahan | Head | Roberts | Ward |
| Coburn | Inzer | Robinson | Weaver |
| Cox | Knight | Sadler | White (Covington) |
| Crocker | Larkins | Sellers | White (Perry) |
| Davis | Lovelace | Shelton | Wood (Bibb) |
| Denton | McClendon | Shirley | Wood (Washington) |

—75

And the bill:

H. 31. To amend Section 198 of Title 17 of the 1940 Code of Alabama, which provides for the compensation of election officers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 4.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Larkins | Sellers |
| Adams (Dale) | Dobbs (Fayette) | Lovelace | Shelton |
| Adams (Jefferson) | Duffee | McClendon | Shirley |
| Barnett | Dumas | McDanal | Sightler |
| Benford | Faulk | McDonald | Still |
| Bennett | Frasier | Malone | Stone |
| Black | Ganey | Martin | Sullivan |
| Brannan | Garrett | Mason | Taylor (Hale) |
| Brown | Gibson | Mathison | Thagard |
| Buckner | Hankins | Meeks | Thomas |
| Busby | Harrison | Merrill | Thompson (Pike) |
| Bush | Haynes (Franklin) | Molette | Wallace |
| Callahan | Haynes (Lowndes) | Nelson | Ward |
| Coburn | Head | Pruitt | Weaver |
| Cox | Inzer | Ramey | White (Covington) |
| Crocker | Johnston | Richardson | White (Perry) |
| Davis | Knight | Roberts | Wood (Washington) |
| Denton | | | |

—69

Nays: Messrs. Beatty, Sadler, Snodgrass, Thompson (Crenshaw). — 4

And the bill:

H. 109. To amend Section 29 of Title 60, Code of Alabama 1940, as amended by an Act approved May 15, 1943, entitled, "An Act to amend Sections 29 and 35 of Title 60 of the 1940 Code of Alabama."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Doughty | Lovelace | Sightler |
| Adams (Dale) | Duffee | McClendon | Snodgrass |
| Adams (Jefferson) | Dumas | McDanai | Stewart |
| Barnett | Faulk | McDonald | Still |
| Beatty | Frasier | Malone | Stone |
| Benford | Ganey | Martin | Sullivan |
| Bennett | Garrett | Mason | Taylor (Autauga) |
| Black | George | Mathison | Taylor (Hale) |
| Brannan | Gibson | Meeks | Thagard |
| Brown | Givhan | Merrill | Thomp- |
| Buckner | Hankins | Molette | son (Crenshaw) |
| Busby | Harris | Nelson | Thompson (Pike) |
| Bush | Harrison | Pinson | Tucker |
| Callahan | Haynes (Franklin) | Pruitt | Wallace |
| Coburn | Haynes (Lowndes) | Ramey | Ward |
| Cox | Head | Richardson | Weaver |
| Crocker | Inzer | Roberts | White (Covington) |
| Davis | Johnston | Sadler | White (Perry) |
| Denton | Knight | Sellers | Wood (Bibb) |
| Dobbs (Elmore) | Larkins | Shelton | Wood (Washington) |
| Dobbs (Fayette) | Leonard | Shirley | |

—82

ADJOURNMENT

On motion of Mr. Johnston, the House, in accordance with S.J.R. 11 heretofore adopted, adjourned until Friday, June 6, 1947, at 10 o'clock, A.M.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 6, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Thomas G. Jones, retired Methodist Minister, of Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | McDanal | Shelton |
| Adams (Dale) | Evans | McDonald | Shirley |
| Adams (Jefferson) | Faulk | McGowin | Sightler |
| Barnett | Frasier | McIlwain | Snodgrass |
| Beatty | Ganey | Malone | Stewart |
| Benford | Garrett | Martin | Still |
| Bennett | George | Mason | Stone |
| Black | Gibson | Mathison | Sullivan |
| Brannan | Gillis | Meeks | Taylor (Autauga) |
| Brassell | Givhan | Merrill | Taylor (Hale) |
| Broadwater | Hankins | Miller | Thagard |
| Buckner | Harris | Mitchell | Thomas |
| Busby | Haynes (Franklin) | Molette | Thompson |
| Bush | Haynes (Lowndes) | Nelson | son (Crenshaw) |
| Callahan | Head | Nettles | Thompson (Pike) |
| Cobb | Hornsby | Norman | Tucker |
| Coburn | Howell | Pinkston | Vann |
| Cole | Ingalls | Pinson | Wallace |
| Cox | Inzer | Pruitt | Ward |
| Crocker | Johnston | Ramey | Weaver |
| Davis | Kaul | Richardson | Whitcomb |
| Denton | Knight | Roberts | White (Covington) |
| Dobbs (Elmore) | Larkins | Robinson | White (Perry) |
| Dobbs (Fayette) | Leonard | Rogers | Wood (Bibb) |
| Doughty | Lovelace | Sadler | Wood (Washington) |
| Duffee | McClendon | Sellers | |

—102

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the third legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the House with a favorable report.

By Mr. Quarles:

S.J.R. 9. Relative to expressing appreciation and gratitude to the members of the Alabama State Guard for loyal, patriotic and unselfish attention to duty and support of the welfare of the State of Alabama.

On motion of Mr. Givhan the report of the Standing Committee on Rules was concurred in and S.J.R. 9 was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H.J.R. 15. BE IT RESOLVED by the House, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet again Tuesday, June 10th, at 10 o'clock, A.M.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 15 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution your signature there-to is requested:

S.J.R. 12. Relative to: The death of Honorable O. D. Carlton of Marengo County.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-third vote of a quorum present, signed the Senate Joint Resolution, the title

to which is set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House for its consideration:

By Mr. Mize:

S. 12. To exempt any disabled veteran of World War II who has received or who in the future may receive a motor vehicle from the Administrator of Veterans' Affairs from paying license fees and ad valorem taxes for such motor vehicle if operated only for the veteran's private use.

J. E. Speight,
Secretary.

SENATE MESSAGE •

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 12. Ways and Means.

BILLS ON SECOND READING

Mr. Roberts, chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Johnston, Sullivan, and Stone:

H. 94. To Amend Section 150 of Title 7 of the 1940 Code of Alabama.

By Messrs. Mason and White (Perry):

H. 113. To Amend Section 318, Title 15, of the Code of 1940.

By Mr. Thagard:

H. 166. To amend Section 697 of Title 7 of the Code of Alabama of 1940.

By Mr. Thagard:

H. 167. To amend Section 694 of Title 7 of the Code of Alabama of 1940.

By Mr. Roberts:

H. 185. To amend Section 491 of Title 7 of the 1940 Code, which relates to perpetuating the testimony of witnesses.

By Messrs. Gibson and Meeks:

H. 200. To amend Section 25 of Title 34 of the Code of Alabama of 1940.

By Mr. Barnett:

H. 202. To amend Section 666, Title 7, 1940 Code of Alabama relating to wages and salary of deceased employees.

By Mr. Harris:

H. 217. To simplify and provide for the pleading, practice and procedure and proof in an action against a party, or against a party and his agent, servant or employee involving the act or conduct of any agent, servant or employee.

By Mr. Ganey:

H. 229. To provide for the appointment of a Chief Clerk by the Circuit Solicitor in all judicial circuits that now is or may hereafter be composed of only three counties, two of which such counties each now have or may hereafter have a population of more than fifty thousand (50,000) according to the last or any subsequent federal census, and said circuit having only two judges, to fix the term of office and to require said Chief Clerk, in addition to his work as Chief Clerk, to do stenographic and secretarial work and investigations for said Solicitor, to fix the compensation of said Chief Clerk, to provide that said compensation shall be paid out of the General Funds of the counties composing said judicial circuits and how the same shall be paid.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

By Messrs. Head and Wood (Bibb) (with amendment):

H. 115. To amend section 247 of title 29, of the 1940 code of Alabama, pertaining to the seizure and forfeiture of conveyances and vehicles transporting prohibited liquors and beverages.

By Mr. Ramey (with amendment):

H. 138. To authorize and empower operators of passenger stations in Alabama operated by or for the use of any motor transportation company to provide separate waiting rooms, facilities, or space, or separate ticket windows, for the white and colored races; authorizing and empowering motor transportation companies and operators of vehicles, carrying passengers for hire in this state, whether intrastate or interstate passengers, to provide separate accommodations on each vehicle for the white and colored races, to assign or reassign each passenger or person a division, section, or seat on vehicles designated for the race to which the passenger belongs; to make it unlawful for any person willfully to refuse or fail to comply with the reasonable rules, regulations, or

directives providing such separate waiting rooms or facilities, or space, or separate ticket windows; and to make it unlawful for any person willfully to refuse or fail to comply with any reasonable assignment or reassignment of seats to passengers or persons on passenger vehicles designated for the race to which such passenger or person belongs; to fix the penalty for the violation of this Act.

By Mr. Roberts (with amendment):

H. 184. To Provide for the Recognition and Enforcement through Action in the Courts of this State of the Liability for Taxes Imposed by the Laws of Another State; And to Provide Method of Proof of Authority of Official of Another State Attempting to Enforce Collection of Taxes Due to Such State; And to Define the Term "Taxes" as used in this Act; And to Provide an Effective Date for this Act.

Mr. Haynes, Vice-Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Shelton, Wallace, Busby, McGowin, Larkins, Buckner, Brown, and Gibson:

H. 13. To amend Section 240 of Title 13 of the 1940 Code of Alabama which relates to transportation expenses, offices and supplies of circuit and deputy solicitors.

By Mr. Davis (by request):

H. 209. To amend Section 605 of Title 51 of the 1940 Code, which relates to licenses on businesses, vocations, and occupations.

By Mr. Snodgrass:

H. 226. To make appropriation of Three Hundred Thousand Dollars (\$300,000.00), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Malone:

H. 71. To amend Section 38 and Section 40, Title 17, Code of Alabama 1940, which relate to lists of qualified electors, by providing that such lists, when delivered to the inspectors at each voting box or voting place shall contain only the names of such persons entitled to vote at each such box or voting place.

By Mr. Merrill:

H. 127. To amend Section 414 of Title 17 of the 1940 Code of Alabama, which relates to meetings of political parties for the

purpose of nominating candidates for public office and selecting delegates, representatives, and officers, by providing that such meetings shall be held the first Tuesday in May in even-numbered years.

By Mr. Lovelace:

H. 136. To propose an amendment to the Constitution which will permit every county to levy and collect a tax, not exceeding four mills on each dollar of taxable property, to be used solely for acquiring, constructing, operating, equipping, or maintaining county hospitals, or other public hospitals, nonprofit hospitals and public health facilities; ordering a special election thereon and providing for the payment of the expenses of the election.

The above and foregoing bill, H. 136, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Lovelace:

H. 179. To propose an amendment to the Constitution which will permit Escambia County to levy and collect a tax, not exceeding four mills on each dollar of taxable property, to be used solely for acquiring, constructing, operating, equipping, or maintaining county hospitals, or other public hospitals, nonprofit hospitals and public health facilities; ordering a special election thereon and providing for the payment of the expenses of the election.

The above and foregoing bill, H. 179, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bill and ordered same returned to the House without recommendation:

By Mr. Benford (without recommendation):

H. 111. To propose an amendment to the Constitution of Alabama creating a Board of Apportionment and defining the duties thereof relating to apportioning the membership of the Senate and of the House of Representatives in the event of the failure of the Legislature to apportion said membership as provided by law, and to order an election for the qualified electors of the State of Alabama upon such proposed amendment, to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed.

The above and foregoing bill, H. 111, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. White (Covington), Chairman of the Standing Committee on Education, reported that said committee in session had acted

on the following bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. White (Covington), Shirley, and Thompson (Pike) (with amendment):

H. 135. To amend Section 103 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 313, approved June 28, 1945.

Mr. Ganey, Chairman of the Standing Committee on Health, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

By Mr. Broadwater (with substitute):

H. 86. To amend Section 85 of Title 22 of the 1940 Code, which relates to the promulgation and enforcement of rules for the operation of food-handling establishments.

Mr. Ganey, Chairman of the Standing Committee on Health, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Lovelace:

H. 181. To amend Section 496, Title 37, Code of 1940.

By Mr. Head:

H. 151. To amend Sections 95, 96, and 278 and to repeal Section 279 of Title 22 of the 1940 Code of Alabama.

Mr. Pinkston, Chairman of the Standing Committee on Business and Labor, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Larkins, Buckner, Johnston, Gibson, Shelton, Brown and McGowin:

H. 19. To amend Section 6 of the Act entitled "An Act, To regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment.", approved June 23, 1945.

By Messrs. Larkins, Gibson, Johnston, Brown, Shelton, Buckner and McGowin:

H. 20. To amend Section 4 of the Act entitled "An Act, To create a Bureau of Rates of the Department of Commerce; to regulate the making and applying of rates for fire, inland marine, casualty, and any lines incidental to these various classes, and the approval or disapproval of rates or rating systems, the intent being to include the rate making of all rates, except life and health and accident, of all companies authorized to do business in the State of Alabama; and provide for the officers and employees thereof and their compensation, powers, functions, and duties; to entrust the administration of this Act to said department; and to make an appropriation for the administration of this Act.", approved June 16, 1945.

By Messrs. Stone, Sullivan, and Johnston:

H. 98. To amend an Act entitled "An Act to authorize the establishment and the maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervisions thereof; to repeal all laws and parts of laws inconsistent and in conflict with the provisions of this Act, and for other purposes," approved July 8, 1943.

By Mr. Harris:

H. 218. To amend Section #119 of Title 5 of the 1940 Code of Alabama; so as to authorize banks in Alabama to pledge assets as security for deposits of county or municipal funds.

Mr. Garrett, Chairman of the Standing Committee on Agriculture, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. McClendon, Mathison, Garrett, White (Perry), and Thompson (Pike):

H. 210. To prohibit the manufacture, possession, sale, or delivery within this State of adulterated or misbranded cosmetics; providing for the administration and enforcement of the Act by the Department of Agriculture and Industries; and making a violation of the Act or the rules and regulations promulgated by the Board of Agriculture and Industries a misdemeanor.

By Messrs. White (Perry), McClendon, Martin, and Ingalls:

H. 219. To amend Title 2, Sections 674 and 675 of the Code of Alabama 1940, as amended by Act No. 499, Senate 324, approved July 8, 1943.

Mr. Kaul, Vice-Chairman of the Standing Committee on Conservation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Stone, Johnston, and Sullivan:

H. 97. To permit the catching of shrimp for use as bait during the closed season; to prescribe regulations under which such shrimp may be taken; to provide for the licensing of persons selling or offering for sale of such shrimp; and to provide penalties for the violation hereof.

By Messrs. Stone, Sullivan, and Johnston:

H. 102. To amend Section 161 of Title 8 of the Alabama Code of 1940.

By Mr. Wood (Washington):

H. 87. To repeal all laws or parts of laws that require the payment of a license, tax excise, or fee for the privilege of taking, capturing, or killing foxes.

By Messrs. Stone, Johnston, and Sullivan:

H. 99. To make it unlawful to take or catch or attempt to catch or take Menhaden in any of the waters of this State; to provide a penalty for the violation hereof.

Mr. Brassell, chairman of the Standing Committee on Local Government, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Davis:

H. 82. To amend Section 72 of Title 18, Code of Alabama 1940.

By Messrs. Shelton and Callahan:

H. 230. To repeal Act 437, approved July 6, 1945, entitled "An Act To limit the jurisdiction and powers of justices of peace in criminal cases in counties which now or hereafter, according to the most recent Federal census, may have populations between 75,000 and 100,000."

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. Lovelace, Martin and White (with amendment):

H. 182. To authorize and empower the Courts of County Commissioners and Boards of Revenue of the several counties of the State of Alabama to expend from the general fund of the several counties a sum not exceeding \$2,000.00 per annum for any purpose deemed desirable or advisable by the Courts of County

Commissioners or Boards of Revenue of the several counties of the State of Alabama.

Mr. Thomas, Vice Chairman of the Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the house with a favorable report:

By Mr. Still:

H. 159. To authorize and empower the Sheriff of Chambers County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the Court of County Commissioners to pay the same by warrant drawn on the treasurer and paid out of the general fund of said County, and to require said deputy to give bond in the sum of \$2000.00, payable to said Sheriff, with conditions as required by law.

By Mr. McClendon:

H. 161. To alter or re-arrange the boundary lines of the City of Lanett, Chambers County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Chambers County, Alabama:

By Mr. McClendon:

H. 160. To provide for a clerk in the office of the Clerk of the Circuit Court of Chambers County, Alabama; to fix the method and basis of such clerk's employment and compensation, and to designate the fund from which payable. To repeal all laws in conflict herewith; to provide that the partial invalidity of this act shall not affect the remainder thereof; and to fix the time when this act shall become effective.

By Mr. Coburn:

H. 162. To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama.

By Mr. Larkins:

H. 163. To prescribe the method of selecting the superintendent of education for Coffee County, fixing his term of office, providing the payment of his salary, and repealing all conflicting laws.

By Mr. Buckner:

H. 171. To provide for the appointment of a deputy clerk of the Circuit Court of Cullman County, Alabama; to prescribe the duties, powers and authority and fix the compensation and salary of such deputy clerk and to designate the method of payment and the fund from which said compensation and salary is payable. To repeal all laws in conflict with the provisions of this Act; to provide that the partial invalidity of this Act shall not affect the remainder hereof; and to fix the time when this Act shall become effective.

By Mr. Beck:

H. 176. To provide for the payment of claims from the DeKalb County Court Fine and Forfeiture Fund, arising in the Circuit Court, and to provide for their cancellation arising prior to February 8, 1939, and to provide payment of said claims by the custodian of said funds.

By Messrs. Barnett and Rogers:

H. 203. To Amend Sections 1, 6, 8, 14 and 28 of An Act entitled An Act "To Establish a Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for its officers, their duties and powers and compensation; to provide for trial tax and other fees; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said court; to provide for an official court reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County", approved May 29, 1931.

By Mr. Bush:

H. 205. To amend Section 1 of Act 102, approved June 6, 1935, which relates to the method of selecting and the term of office of the Superintendent of Education for Macon County, by providing for his appointment by the Board of Education for Macon County.

By Messrs. Davis and Vann:

H. 207. To alter, extend and rearrange the boundary line of the City of Huntsville, Alabama, and describe the area included therein for all purposes.

By Messrs. Davis and Vann:

H. 206. To alter, extend and rearrange the boundary lines of the City of Huntsville, Alabama, and describe the area included therein for all purposes.

By Messrs. Davis and Vann:

H. 208. To provide for exemption of property from ad valorem taxation by the City of Huntsville until the fiscal year beginning October 1, 1947, in any area which may be added to the corporate limits of the City of Huntsville by any act of the Legislature of Alabama passed at any time during the session of such Legislature of Alabama beginning on the first Tuesday in May, 1947.

By Messrs. Stewart and Harris:

H. 216. To alter or rearrange the boundaries of the City of Hartselle, Alabama.

By Messrs. Leonard and Ganey:

H. 228. To fix the salary of the Deputy Solicitor of Talladega County, Alabama.

By Mr. Wood (Washington):

H. 236. To amend Section 2 of Act 216, approved May 28, 1931, entitled, "An Act To preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district and the Judge of Probate of said county a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix their salaries, to repeal an act approved August 20, 1927, of the local acts of 1927 on page 234 thereof", by increasing the automobile allowance of the commissioners.

The above and foregoing bills were severally read a second time and placed on the Calendar.

BILLS RE-REFERRED

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. McIlwain, Ingalls, Merrill, Martin, Stone, Barnett, Lovelace, Malone, Dumas, Thagard, Inzer and Wood (Bibb) (with amendment):

H. 84. To provide for auditing periodically the books, accounts, vouchers, and records of public officers, agencies, and institutions: creating a Department of Examiners of Public Accounts and a supervisory Legislative Committee on Public Accounts; **abolishing the Division of Examiners of Public Accounts of the Department of Finance and transferring its functions, funds, books, records, furniture, fixtures, supplies, equipment, and personnel;** and prescribing penalties for violations of this Act.

On motion of Mr. McIlwain the bill, H. 84, with amendment, was re-referred to the Standing Committee on Ways and Means.

Mr. Ganey, Chairman of the Standing Committee on Health, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Mr. Coburn:

H. 153. To amend an Act "To amend Section 199 of Title 22 of the 1940 Code of Alabama relating to the care of patients with tuberculosis," Approved July 8, 1943.

And said bill, H. 153, carrying an appropriation, was, in accordance with House Rule No. 59, re-referred by the Speaker to the Standing Committee on Ways and Means.

Mr. Ganey, Chairman of the Standing Committee on Health, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. Hornsby and Larkins (with amendment):

H. 141. Supplemental to Act 211, approved July 7, 1945, which gives the State Board of Health and public hospital associations authority to plan, acquire, construct, equip, maintain, and supervise hospitals, health centers, and related facilities for the treatment of disease: appropriating the sum of four million dollars (\$4,000,000.00) to the State Board of Health for the planning and construction of State-owned and other public and nonprofit hospitals in Alabama.

And said bill, H. 141, carrying an appropriation, was, in accordance with House Rule No. 59, re-referred by the Speaker to the Standing Committee on Ways and Means.

On motion of Mr. Kaul the bill, H. 9, was re-referred to the Standing Committee on Ways and Means.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Taylor (Autauga):

H. 241. To provide that every person of sound mind, twenty-one years of age or over, may prescribe the disposition to be made of his body after death; making it a misdemeanor for any person, firm, or corporation to prevent the disposition specified.

Health.

By Mr. Taylor (Autauga):

H. 242. To provide that any sheriff of the State of Alabama shall be entitled to an allowance of ten cents per mile for executing a writ of arrest, or like process, issued by any court of competent

jurisdiction of Alabama; and to provide for the registration and payment of said claim.

Local Government.

By Messrs. Wallace, Malone & Bush:

H. 243. To provide for the payment of an informer's fee to any person who furnishes information leading to the apprehension, arrest, and conviction of a person for buying, offering to buy, or influencing the vote of any elector.

Constitution and Elections.

By Mr. McIlwain:

H. 244. To amend Section 110 of Title 22 of the 1940 Code, which relates to fees collected for inoculating dogs against rabies.

Health.

By Mr. McIlwain:

H. 245. To amend Sections 67 and 70 of Title 12 of the 1940 Code, which relate to county engineers.

Local Government.

By Mr. Gillis:

H. 246. To amend Sections 17 and 19, Title 32, Code of Alabama of 1940, as amended.

Ways and Means.

By Mr. Nelson:

H. 247. Relating to elections for members of county boards of education and county superintendents of education in counties having one or more independent school systems not under the supervision of the county board.

Education.

By Messrs. Larkins, Shirley, Adams (Dale), White (Covington), Mathison, Wallace, Faulk, Thompson (Crenshaw), Thompson (Pike), Knight:

H. 248. Relating to livestock: prescribing certain powers and duties of the Department of Agriculture and Industries with respect to preventing, combating and extirpating certain contagious, infections and communicable diseases of livestock; providing for the purchase, distribution and administration of anti-hog cholera serum and hog cholera virus and making an appropriation therefor.

Ways and Means.

By Messrs. Larkins, Shirley, Adams (Dale), White (Covington), Mathison, Wallace, Faulk, Thompson (Crenshaw), Thompson (Pike), Malone, Knight.

H. 249. To appropriate funds for the use of the Wiregess Experiment Station at Headland.

Ways and Means.

By Mr. Molette:

H. 250. To make it a misdemeanor for any person, firm or corporation, operating a rolling store to stop or park such rolling store at any place within a radius of one-half mile of a licensed store for the purpose of displaying, selling, or offering for sale, any goods, wares or merchandise.

Business and Labor.

By Mr. White (Covington):

H. 251. To make an annual appropriation to provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who attained age sixty as of the date of establishment of the teachers' retirement system, September 1, 1941, and who is not and never has been eligible for membership in the teachers' retirement system, and to provide a supplement to the retirement benefit of any teacher who is or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended by Act 61 approved June 1, 1943, and who is not entitled under the provisions of said chapter to receive a benefit in excess of \$50.00 per month; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund appropriated by this act.

Ways and Means.

By Mr. White (Covington) (with notice and proof):

H. 252. To alter, rearrange, and extend the boundary lines of the City of Andalusia in Covington County, Alabama.

Local Legislation.

Notice and Proof H. 252:

SPECIAL NOTICE

As required by Article 4, Section 106 of the Constitution, notice is hereby given of the intention to apply at the next regular session of the Legislature of Alabama for the enactment of the following local law, the provisions of which shall be operative in Covington County only.

A BILL TO BE ENTITLED "AN ACT"

To alter, rearrange, and extend the boundary lines of the City of Andalusia in Covington County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1. The boundaries of the City of Andalusia are altered, rearranged, and extended to include within the corporate limits of the city the lands described as follows: the southeast quarter of Section 12, the east half of Section 13, the east half of Section 24, and the northeast quarter of Section 25,

all in Township 4 North, Range 15 East; the south half of Section 8, the southwest quarter of Section 9, the west half of Section 16, the west half of Section 21, the northwest quarter of Section 28, the north half of Section 29, and the north half of Section 30, all in Township 4 North, Range 16 East.
15c4

STATE OF ALABAMA
COVINGTON COUNTY

This is to certify that attached notice was published in The Covington News, a newspaper published in Andalusia in said state and county for 4 successive issues of April 3rd-10th-17th-24th, 1947.

JOE JONES,

Publisher The Covington News.

Sworn to and subscribed before me this the 5th day of June 1947.

LORA JONES,

Notary Public.

(SEAL)

My Commission expires Feb. 12, 1949.

By Mr. White (Covington):

H. 253. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940 as amended by Act 61, approved June 1, 1943.

Ways and Means.

By Mr. White (Covington):

H. 254. To provide for the distribution of the net profits, including all taxes levied upon the selling price of all spirituous or vinous liquors, less all cost and expense of collecting said tax and less reserve for inventory and working capital.

Ways and Means.

By Mr. Merrill:

H. 255. To amend Act 116, approved June 16, 1945, entitled, "To empower veterans who are minors to make valid contracts and loans pursuant to an Act of Congress, entitled the 'Service-men's Readjustment Act of 1944'".

Judiciary.

By Mr. Mathison:

H. 256. To make an appropriation to the State Board of Health to provide streptomycin treatments to certain tuberculosis patients in public institutions.

Ways and Means.

By Mr. Harris:

H. 257. Proposing an amendment of section 150 of the Constitution of Alabama relating to judicial officers, and ordering an election thereon.

The above and foregoing bill, H. 257, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Messrs. Harris and Stewart (with notice and proof):

H. 258. To amend Section Four of an act entitled "An Act to ratify, heal and cure an Act of the Legislature of Alabama, ap-

proved September 6, 1927, and entitled: "An Act To Provide for the election of a County Superintendent of Education of Morgan County, Alabama, by the Qualified Electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officers;" to confirm and validate the election held under and in accordance with the provisions of said Act, and the election of George T. Woodruff as County Superintendent of Education of Morgan County at said election; to fix the term of office of the County Superintendent of Education of Morgan County; to prescribe his salary and the manner of payment; to define his qualifications, powers and duties and to provide for the election of his successors in office," approved March 5th, 1931 so that the salary of the County Superintendent of Education of Morgan County, Alabama, shall be \$4500.00 per year instead of \$3600.00 per year as now provided, beginning July 1, 1947.

Local Legislation.

Notice and Proof H. 258:

NOTICE OF INTENTION TO APPLY TO THE 1947 SESSION OF
THE LEGISLATURE OF ALABAMA FOR PASSAGE
OF A LOCAL ACT

Notice is hereby given that a Bill will be introduced in the 1947 session of the Legislature of Alabama substantially as follows:

AN ACT ENTITLED
AN ACT

To amend Section Four of an act entitled "An Act to ratify, heal and cure an Act of the Legislature of Alabama, approved September 6, 1927, and entitled: "An Act To Provide for the election of a County Superintendent of Education of Morgan County, Alabama by the Qualified Electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officers;" to confirm and validate the election held under and in accordance with the provisions of said Act, and the election of George T. Woodruff as County Superintendent of Education of Morgan County at said election; to fix the term of office of the County Superintendent of Education of Morgan County; to prescribe his salary and the manner of payment; to define his qualifications, powers and duties and to provide for the election of his successors in office," approved March 5th, 1931 so that the salary of the County Superintendent of Education of Morgan County, Alabama, shall be \$4500.00 per year instead of \$3600.00 per year as now provided, beginning July 1, 1947.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA AS
FOLLOWS:

That Section Four of an act entitled "An Act to ratify, heal and cure an Act of the Legislature of Alabama, approved September 6, 1927, and entitled "An Act To Provide for the election of a County Superintendent of Education of Morgan County, Alabama, by the Qualified Electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officers;" to confirm and validate the election held under and in accordance with the provisions of said Act, and the election of George T.

Woodruff as County Superintendent of Education of Morgan County at said election; to fix the term of office of the County Superintendent of Education of Morgan County; to prescribe his salary and the manner of payment; to define his qualifications, powers and duties and to provide for the election of his successors in office," approved March 5th, 1931 be and the same is hereby amended so as to read as follows: Section Four. That beginning on July 1, 1947, the beginning of the next term of the County Superintendent of Education of Morgan County, Alabama, the salary of said County Superintendent of Education shall be the sum of \$4500.00 per year, and shall be paid by the County Board of Education of Morgan County, Alabama, at the time and in the manner provided by the general laws of this State for the payment of salaries of County Superintendents of Education.

NORMAN W. HARRIS

W. H. STEWART

Representatives, Morgan County, Alabama

NOBLE J. RUSSELL

Senator, Second Senatorial Dist.

STATE OF ALABAMA,
MORGAN COUNTY.

Before me, the undersigned authority in and for said county in said state, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says as follows:

I am now and have been continuously during the dates herein referred to Publisher of the Decatur Daily, which is now and has been during said times a newspaper of general circulation published in Morgan County, Alabama. The foregoing notice was published without cost to the State of Alabama in said Decatur Daily, once a week for four consecutive weeks, said notice having been published in the issues of said paper published on April 24, May 1, May 8, and May 15, all in the year 1947.

B. C. SHELTON

Sworn to and subscribed before me, this 3rd day of June, 1947.

R. H. JERVIS,

(SEAL)

Notary Public.

My Commission Expires Nov. 21, 1949.

By Messrs. Harris and Stewart (with notice and proof):

H. 259. To provide for the appointment of a Deputy Clerk of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

Local Legislation.

Notice and Proof H. 259:

Notice is hereby given that a Bill will be introduced in the 1947 Session of the Legislature of Alabama substantially as follows; and application for its passage will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Provide for the appointment of a Deputy Clerk of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

Be It Enacted By the Legislature of Alabama:

Section 1. That the Clerk of the Circuit Court of Morgan County and of the Morgan County Court of Morgan County, shall appoint a Deputy

Clerk for said Courts. Said Deputy Clerk shall be paid a salary of One Hundred Twenty-five Dollars per month by the County of Morgan out of the General Fund of said County. Said Deputy Clerk shall possess all the powers and authority, both ministerial and judicial now or hereafter possessed by such Clerk by whom said Deputy Clerk is appointed.

Section 2. That all laws and parts of laws, general, local or special in conflict with the provisions of this Act be, and the same are hereby expressly repealed.

Section 3. That this Act shall go into effect on the first day of the month following its approval by the Governor, or upon its otherwise becoming a law.

Norman W. Harris
W. H. Stewart
Representatives, Morgan County, Alabama
Noble J. Russell
Senator, Second Senatorial District.

STATE OF ALABAMA, MORGAN COUNTY.

Before me, the undersigned authority in and for said county in said state, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says as follows:

I am now and have been continuously during the date herein referred to Publisher of the Decatur Daily, which is now and has been during said times a newspaper of general circulation published in Morgan County, Alabama. The foregoing notice was published without cost to the State of Alabama in said Decatur Daily, once a week for four consecutive weeks, said notice having been published in the issues of said paper published on April 29, May 5, May 12, and May 19, all in the year 1947.

B.C. SHELTON

Sworn to and subscribed before me, this 3rd day of June, 1947.

R. H. JERVIS,
Notary Public.

(SEAL)

My Commission Expires Nov. 21, 1949.

By Messrs. Harris and Stewart (with notice and proof):

H. 260. For the relief of John H. Green.

Local Legislation.

Notice and Proof H. 260:

NOTICE IS HEREBY GIVEN that at the regular session of the Legislature of Alabama of 1947 a bill substantially as follows will be introduced, and application for its passage and enactment will be made, to wit:

A BILL TO BE ENTITLED AN ACT

For the relief of John H. Green.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

The governing body of Morgan County, Alabama shall pay to John H. Green the sum of Two Hundred Fifty Dollars out of the general fund of said county for services rendered by the said John H. Green at the primary elections held in Morgan County, Alabama in May and June, 1946, with reference to the handling of absentee ballots in said elections, and as compen-

sation for his services in performing the duties of the Probate Judge with reference to receiving requests for absentee ballots, making a record of the same, and issuing absentee ballots in said elections, by reason of the fact that the Probate Judge and the Sheriff of Morgan County, Alabama were disqualified to perform said duties.

Noble J. Russell

W. H. Stewart

Norman W. Harris

STATE OF ALABAMA,
MORGAN COUNTY.

Before me, the undersigned authority in and for said county in said state, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says as follows:

I am now and have been continuously during the dates herein referred to Publisher of the Decatur Daily, which is now and has been during said times a newspaper of general circulation published in Morgan County, Alabama. The foregoing notice was published without cost to the State of Alabama in said Decatur Daily, once a week for four consecutive weeks, said notice having been published in the issues of said paper published on April 29, May 5, May 12, and May 19, all in the year 1947.

B. C. SHELTON

Sworn to and subscribed before me, this 3rd day of June, 1947.

R. H. JERVIS,

(SEAL)

Notary Public.

My Commission Expires Nov. 21, 1949.

By Messrs. Harris and Stewart (with notice and proof):

H. 261. To amend an act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as last amended.

Local Legislation.

Notice and Proof H. 261:

NOTICE IS HEREBY GIVEN that at the regular session of the Legislature of Alabama of 1947 a bill substantially as follows will be introduced, and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To amend an act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as last amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

That the act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedures of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." be and the same is hereby amended so as to read as follows:

Section 1: That there be and is hereby established in and for the County of Morgan, a court which will be called the Morgan County Court and which shall be a court of record which shall have and exercise the jurisdiction or authority, functions and powers hereinafter conferred upon it by this act.

Section 2: Said court shall have original jurisdiction coextensive with Morgan County of all civil causes both at law and in equity, and the said court and the judge thereof shall have the power and authority to administer oaths, to issue search warrants and writs of habeas corpus, prohibition, certiorari, quo warranto, mandamus, and other special and extraordinary writs, and to remove the disabilities of non age of minors and to issue injunctions to abate liquor nuisances; and shall have jurisdiction in proceedings to condemn property used in violation of laws relating to intoxicating beverages; and the judge of said court shall have the same power as circuit judges with reference to ordering the institution of quo warranto proceedings; and the said court in civil matters shall have jurisdiction concurrent with the circuit court. The said court shall have exclusive jurisdiction of all causes against persons charged with the commission of misdemeanors, except that this act shall not restrict the criminal jurisdiction of justices of the peace, and shall have exclusive jurisdiction of all criminal cases appealed from the court of any mayor, recorder, justice of the peace, or notary public ex officio justice of the peace, and of bastardy proceedings provided for by Title 6 of the Code of Alabama of 1940, and on all indictments returned against parties charged with misdemeanor the clerk of said court shall issue capias returnable to said Morgan County Court. The said Morgan County Court shall also have exclusive jurisdiction of all civil causes appealed from any justice of the peace court or the court of any notary public ex officio justice of the peace. Appeals from the Probate Court of Morgan County, Alabama may be taken to the Morgan County Court or to the Circuit Court of Morgan County, as the party taking said appeal may elect.

Section 3: All laws and rules of practice with reference to process, pleading and practice, and the drawing of juries in the several proceedings in the circuit court shall be applicable to the Morgan County Court, and all statutes and rules of practice pertaining to county courts and to the circuit court shall be applicable to criminal causes pending in said court.

Section 4: Prosecutions for misdemeanors committed in Morgan County may be instituted in the Morgan County Court by making an affidavit before the judge of said court, the writ on said affidavit to be issued by the clerk of said court, and when the defendant is arrested on said affidavit, said case shall be docketed for trial and be tried as though the defendant had been indicted by a grand jury. Justices of the peace, notaries public with power of justices of the peace, of Morgan County, and judges of inferior courts with the jurisdiction of justices of the peace in said county shall have authority to issue warrants returnable to said court, and it shall be their duty to forthwith transmit the said affidavit and warrants and bonds to said court, which causes shall be placed upon the docket of said court, and tried as though the defendant had been indicted by the grand jury in said court.

Section 5: The supreme court and court of appeals of this state shall have appellate and supervisory jurisdiction over said court, and the judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the circuit court of the state, and the judges thereof,

and appeals may be taken from the orders and judgments of said court to the supreme court and court of appeals in the same manner, and within the same time, as appeals are now taken from the orders and judgments of the circuit courts of the state.

Section 6: The venue in any case in the said Morgan County Court shall be changed to any other counties under the same orders and regulations as governed change of venue in the circuit court.

Section 7: That the Honorable W. H. Long, judge of said court, who was elected to the office of judge of said court at the general election held in 1946, shall hold office as the judge of said court until the second Tuesday after the first Monday in January, 1953 and until his successor shall be elected and qualified. A judge of said court shall be elected by the qualified electors of Morgan County at the general election to be held in 1952 and each six years thereafter, and the term of the judge of said court shall commence on the second Tuesday after the first Monday in January following his election, and shall continue for a period of six years and until his successor shall be elected and qualified.

Section 8: Vacancies in the office of the judge of said court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution of this state. Said judge may be removed from office in the same manner now provided by law for the removal of circuit judges. The Chief Justice of the Supreme Court of Alabama may when he deems proper, by order spread on the minutes of the Morgan County Court, designate any circuit judge to hold said court or to try any cause pending in said court.

Section 9: That the Clerk of the Circuit Court of Morgan County shall be ex officio clerk of said court and shall have the powers, and discharge the duties which will devolve upon the clerk of the circuit court, except in equity cases, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees as are now, or may hereafter, be allowed to circuit clerks of Alabama, and the same shall be collected as such fees are collected in the circuit court, and the Deputy Clerk of the Circuit Court of Morgan County shall be ex officio Deputy Clerk of the Morgan County Court, and exercise the same powers and duties as are exercised in the circuit court by such deputy clerks. The Register of the Circuit Court of Morgan County shall be ex officio Register of the Morgan County Court, and as such ex officio register shall have the same powers and discharge the same duties which devolve upon the register of the circuit court, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees as are now or may hereafter be allowed registers of the circuit court, and the same shall be collected as such fees are collected in the circuit court.

Section 10: That the judge of said court shall receive a salary of Three Thousand Nine Hundred Dollars per annum, payable in equal monthly installments at the end of each month, out of the county treasury.

Section 11: That there shall be a Solicitor of the Morgan County Court who shall receive a salary of One Thousand Eight Hundred Dollars per annum, payable in equal monthly installments out of the county treasury at the end of each month, and all solicitor's fees taxed and collected in said court shall be paid into the county treasury of Morgan County for the benefit of the general fund of said county. The Honorable Philip Shanks, Solicitor of the Morgan County Court, who was elected to said office at the general election held in 1946, shall hold said office until the second Tuesday after the first Monday in January, 1951 and until his successor shall be elected and qualified. A solicitor or said court shall be elected at the general election to be held in 1950 and each four years thereafter, and the term of the solicitor shall be for four years, commencing on the second Tuesday after the first Monday in January following his election, and until his successor is elected and qualified. It shall be the duty of the solicitor of said court to prosecute all criminal causes pending in said court and to attend upon the sessions of the Grand Juries of Morgan County, Alabama, and to

assist the circuit solicitor in the drawing of indictments and in the prosecution of criminal causes pending in the Circuit Court of Morgan County when requested to do so by the circuit solicitor. There shall be no deputy solicitor in Morgan County. Vacancies in the office of solicitor of said court shall be filled by the governor, and such appointee shall hold said office for the unexpired term.

Section 12: That the said court shall be held at the courthouse of Morgan County and that said court shall be open at all times for the trial of cases and the transaction of business. In case of sickness or disqualification of the judge of said court, the law applicable to the appointment and service of special judges in the circuit court shall apply. The judge of the said court shall be subject to the same penalty for failure to attend upon the court as circuit court judges of this state. The judge of said court shall keep an office in the courthouse of Morgan County, and it shall be the duty of the Board of Revenue and Control of Morgan County, Alabama to provide such an office, and supply the same with the necessary furnishings, fixtures, stationery, and supplies.

Section 13: The judge of said court may determine and fix the time of holding the sessions of said court for the trial of all cases triable in said court; provided that the judge of said court shall at the beginning of each year designate the time at which the sessions of said court shall be held, for a period of at least one year, by making and entering an order upon the minutes of said court; provided that the judge of said court may call and hold special, extra, or adjourned sessions of said court when in his judgment it is necessary to do so.

Section 14: The Sheriff of Morgan County shall, in person or by a deputy, or deputies appointed by him, said appointment to be approved by the Judge of the Morgan County Court, be required to attend upon said court, and preserve order, and execute all writs or process, and perform such other duties, in all respects as in the circuit courts of this state, and for himself and each deputy required for attendance upon the sessions of the said court, he shall receive the sum of Three Dollars per day, payable out of the county treasury upon his warrant, approved by the presiding judge, provided that the sheriff and his deputies shall not receive pay except for the times that the court is actually in session, and none of which compensation to the deputies shall be shared in by the sheriff.

Section 15: The Clerk and Register shall each have an official seal for said court.

Section 16: The judge of said court shall appoint a competent shorthand reporter to perform the duties of official court reporter of said court, who shall hold office at the pleasure of said judge and who shall receive a salary of Six Hundred Dollars per annum, payable in equal monthly installments out of the county treasury, on the certificate of the judge of said court. In all criminal causes and causes pending on the law side of said court there shall be taxed as part of the cost of the cause a reporter's fee of Three Dollars in each case, to be collected as other cost and paid by the clerk of said court into the county treasury for the benefit of the general fund. The said court reporter shall have authority to administer oaths and shall be an officer of the court and shall not be related to the judge of said court within the fifth degree.

Section 17: All laws pertaining to costs and fees in cases in the circuit court, and criminal cases in the county court, as provided by the general laws of this state, shall be applicable to said court, except as herein otherwise provided. A trial tax of Two Dollars is imposed in each case, criminal and civil, both at law and in equity, which is docketed in said court to be taxed and collected as other costs in said court, and when collected to be paid into the county treasury for the benefit of the general fund.

Section 18: The judge of said court and the solicitor of said court shall each be a qualified elector of Morgan County, shall be learned in the law, and shall be of the age of twenty-five years or over.

Section 19: All laws heretofore passed and enacted with reference to said court shall be and are hereby repealed.

Section 20: This act shall become effective on the first day of the month following its approval by the Governor.

Noble J. Russell
W. H. Stewart
Norman W. Harris

STATE OF ALABAMA,
MORGAN COUNTY.

Before me, the undersigned authority in and for said county in said state, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says as follows:

I am now and have been continuously during the dates herein referred to Publisher of the Decatur Daily, which is now and has been during said times a newspaper of general circulation published in Morgan County, Alabama. The foregoing notice was published without cost to the State of Alabama in said Decatur Daily, once a week for four consecutive weeks, said notice having been published in the issues of said paper published on May 5, May 12, May 19, and May 26, all in the year 1947.

B. C. SHELTON

Sworn to and subscribed before me, this 3rd day of June, 1947.

R. H. JERVIS,

(SEAL)

Notary Public.

My Commission Expires Nov. 21, 1949.

By Messrs. Harris and Stewart (with notice and proof):

H. 262. To provide that justices of the peace and notaries public ex officio justices of the peace in Beat One in Morgan County, Alabama shall have territorial jurisdiction coextensive with the limits of Morgan County, Alabama.

Local Legislation.

Notice and Proof H. 262:

NOTICE IS HEREBY GIVEN that at the regular session of the Legislature of Alabama of 1947 a bill substantially as follows will be introduced, and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that justices of the peace and notaries public ex officio justices of the peace in Beat One in Morgan County, Alabama shall have territorial jurisdiction coextensive with the limits of Morgan County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1: Each justice of the peace and notary public ex officio justice of the peace in Beat One in Morgan County, Alabama shall have jurisdiction of all civil and criminal matters, including suits to recover possession of real estate coextensive with the territorial limits of Morgan County, Alabama.

Section 2: This act shall be effective immediately upon its passage and approval.

Noble J. Russell
W. H. Stewart
Norman W. Harris

STATE OF ALABAMA,
MORGAN COUNTY.

Before me, the undersigned authority in and for said county in said state, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says as follows:

I am now and have been continuously during the dates herein referred to Publisher of the Decatur Daily, which is now and has been during said times a newspaper of general circulation published in Morgan County, Alabama. The foregoing notice was published without cost to the State of Alabama in said Decatur Daily, once a week for four consecutive weeks, said notice having been published in the issues of said paper published on April 29, May 5, May 12, and May 19, all in the year 1947.

B. C. SHELTON

Sworn to and subscribed before me, this 3rd day of June, 1947.

R. H. JERVIS,
Notary Public.

(SEAL)

My Commission Expires Nov. 21, 1949.

By Messrs. Harris and Stewart (With Notice and Proof):

H. 263. To provide for the appointment of a Deputy Register of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

Local Legislation.

Notice and Proof H. 263:

Notice is hereby given that a Bill will be introduced in the 1947 Session of the Legislature of Alabama substantially as follows; and application for its passage will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment of a Deputy Register of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

Be it Enacted By the Legislature of Alabama:

Section 1. That the Register of the Circuit Court of Morgan County and of the Morgan County Court of Morgan County, shall appoint a Deputy Register for said Courts. Said Deputy Register shall be paid a salary of One Hundred Twenty-five Dollars per month by the County of Morgan out of the General Fund of said County. Said Deputy Register shall possess all the powers and authority, both ministerial and judicial now or hereafter possessed by such Register by whom said Deputy Register is appointed.

Section 2. That all laws and parts of laws, general, local or special in conflict with the provisions of this Act be, and the same are hereby expressly repealed.

Section 3. That this Act shall go into effect on the first day of the month following its approval by the Governor, or upon its otherwise becoming a law.

Norman W. Harris
W. H. Stewart
Representatives, Morgan County, Alabama
Noble J. Russell
Senator, Second Senatorial District.

STATE OF ALABAMA,
MORGAN COUNTY.

Before me, the undersigned authority in and for said county in said state, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says as follows:

I am now and have been continuously during the dates herein referred to Publisher of the Decatur Daily, which is now and has been during said times a newspaper of general circulation published in Morgan County, Alabama. The foregoing notice was published without cost to the State of Alabama in said Decatur Daily, once a week for four consecutive weeks, said notice having been published in the issues of said paper published on April 29, May 5, May 12, and May 19, all in the year 1947.

B. C. SHELTON

Sworn to and subscribed before me, this 3rd day of June, 1947.

R. H. JERVIS,

Notary Public.

(SEAL)

My Commission Expires Nov. 21, 1949.

By Mr. Leonard:

H. 264. To define further the crime of bribery: making it a felony for any person to bribe a contestant or officail in an athletic contest, or for any person connected with an athletic contest to take a bribe.

Judiciary.

By Messrs. Adams (Jefferson) and McDanal:

H. 265. To prohibit shooting, trapping, snaring, or capturing or attempting to shoot, trap, snare, or capture racoons north of United States highway number eighty in the State and to provide penalties for violation of this Act.

Conservation.

By Mr. Kaul:

H. 266. To establish a procedure for the resignation of trustees under an express trust and for the appointment of successor trustees for such express trusts and to provide for the removal of trustees of express trusts for cause.

Judiciary.

By Messrs. Sadler and Meeks:

H. 267. To authorize and require the suspension of operator's license and registration certificate to operate a motor vehicle for conviction of certain offenses and until operator shall have filed proof of ability to respond in damages as a condition precedent to future licensing or registration; to require the several courts or clerks thereof to furnish to the director of public safety certified copies of judgments of conviction of operators of motor vehicles and of judgments which have been unpaid for thirty days, and to require the director in case of a nonresident to transmit a copy thereof to the appropriate officer in the state of such nonresident; to provide for the suspension of an operator's license and registration certificate upon failure to satisfy a judgement and to require the satisfaction of the judgment and filing of proof of ability to

respond in damages as a condition precedent to future licensing or registration; to fix the terms and conditions under which judgments shall be regarded as satisfied and to authorize the payment of the same in installments; to relieve an operator or chauffeur of the necessity of giving proof in his own behalf; to provide for the application of the act to nonresidents; to describe the terms and conditions of insurance policies covering the operation of motor vehicles, to provide the method by which a nonresident may establish proof of ability to respond in damages and the methods by which proof of responsibility may be given, to provide for the satisfaction of judgments therefrom and to authorize cancellation and return of such proof; to authorize the director to furnish information relative to the record of an operator and proof of his ability to respond in damages; to provide for the return of license, registration certificate and number plates to the director; to prohibit the transfer of certificate of registration to defeat the purpose of this act; to except certain policies of automobile insurance from the terms of this act; to forbid the operation of motor vehicle not owned under policy covering vehicle owned; to define a motor vehicle liability policy, to provide additional requirements for the same and to authorize an insurance carrier to furnish a certificate of insurance; to authorize the director to make rules and regulations for the administration, and to provide penalties for violations of this act.

Judiciary.

By Messrs. Sadler and Meeks:

H. 268. To require operator of motor vehicle to make report of accident to director of public safety; to authorize director to suspend license and registration certificate of owner of motor vehicle until sufficient security shall have been furnished in such form as director may require, to satisfy judgment for damages resulting from such accident, such security to be applicable only to a judgment arising out of such accident if suit brought within one year thereafter; to provide for the return of such security or balance thereof to the owner; to require suspension of license and certificate upon failure of owner to pay final judgment and to require owner to file proof of ability to respond in damages for injuries caused by the operation of such motor vehicle in future; to authorize the director to restore judgment debtor's license upon showing provided; to provide on request of owner for a hearing before the director or his duly authorized agent, for a rescission of order of suspension or for extension of the same; to provide for appeal by owner to circuit court or court of like jurisdiction, and to fix penalties for violation of this act.

Judiciary.

By Messrs. Sadler, Beatty, Meeks, Dumas, Adams (Jefferson), Gibson, Kaul:

H. 269. To regulate the office of sheriff in counties of 400,000 population or over according to the last Federal census or any subsequent Federal census, to exempt the sheriffs of such counties from court costs; to exempt sheriffs from liabilities for the acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of sheriff, and to provide for the payment of the premium on the sheriff and deputies bonds out of the county treasury; authorizing the sheriff to employ an attorney to advise and represent him, whose compensation is to be fixed by the board of revenue or like governing body and paid out of the general fund; and providing when and where this act shall become effective.

Local Legislation.

By Mr. Dumas:

H. 270. To amend Section 9 of Title 14 of the 1940 Code of Alabama.

Judiciary.

By Mr. Dumas:

H. 271. To further amend Section 25 of Title 22 of the 1940 Code of Alabama, which said section has been heretofore amended in and by Section 5 of an Act of the Legislature approved July 9, 1943, entitled "An Act to amend Sections 19, 21, 22, 24, 25, 26, 27, 33, 34, 37, 38, 39, 40 and 42 of Title 22 of the 1940 Code of Alabama, all relating to public health". (General Acts of 1943, page 454 et sequa). The instant Act will amend said Section 25 by incorporating therein the following provision: "When a coroner or health officer has been informed that a deceased person died of an unknown or undetermined cause, or was suspected of having died of a communicable disease, or other cause important to the protection of the public health, or of poisoning, the coroner or health officer if ordered by the Probate Judge of the county is authorized to obtain or require an autopsy or internal examination of the dead body. Full authority is hereby invested in said Judge of Probate to make all necessary and reasonable orders to compel and facilitate the making of such autopsy or internal examination."

Health.

By Mr. Benford:

H. 272. To provide and submit to the qualified electors of the State of Alabama, at the next general election, an amendment to the Constitution, prescribing the number of Senators in the State Senate, such amendment to be known as Article XXB of the Constitution of Alabama.

The above and foregoing bill, H. 272, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Miller:

H. 273. To authorize any Circuit Solicitor of the State of Alabama to incur investigative expenses for himself and others in ascertaining the facts concerning the commission of felonies that he has probable cause to believe have been committed in his circuit; to provide that he may employ the services of a medical and other experts to aid in the investigation of homicide and sexual crimes and to appear as a witness before a grand jury and at any trial of the case; to provide for the payment of such an expert or a professional fee and other expenses when approved by the Attorney General; to provide for the payment of fees and other expenses herein authorized out of the State Treasury; to provide annual appropriation therefor; to fix the effective date of this act.

Judiciary.

By Mr. Roberts:

H. 274. To abolish capital punishment in this State.

Judiciary.

By Mr. Roberts:

H. 275. To Provide for the Survival of all Causes of Action Cognizable by a Court of Equity Including Those Upon Which a Suit Is Now Pending as well as Those Upon Which No Suit Has Been Filed.

Judiciary.

By Mr. Roberts:

H. 276. To Provide for the Survival of all Suits Pending in a Court of Equity; the Manner of the Substitution of the Personal Representative, Heir, or Successor of a Deceased Party Thereto; and that the Order of Substitution Shall Be Made by the Register or the Judge of Said Court.

Judiciary.

By Mr. Barnett:

H. 277. To establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Re-

lations to act as Trustee for said Fund, to authorize the State Treasurer to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund.

Judiciary.

By Messrs. Barnett & Rogers (with notice and proof):

H. 278. To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama,

Local Legislation.

Notice and Proof H. 278:

NOTICE OF APPLICATION TO LEGISLATURE OF ALABAMA FOR THE ENACTMENT OF A LOCAL LAW

Notice is hereby given that the undersigned intend to apply to the Legislature and the Governor of Alabama requesting the enactment into law of a bill substantially as follows, to-wit:

A BILL TO BE ENTITLED AN ACT

To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1. That the following described land may be added to and made a part of the lands embodied within the corporate limits of the City of Florence, Alabama, and the corporate limits of said City may be extended so as to include said land, to-wit:

Beginning at a point on the west boundary of the corporate limits of the City of Florence, Alabama, this point being the common section corner of Sec. 3, 4, 9 and 10, T. 3, R. 11, West; thence west along the south line of Sec. 4, T. 3, R. 11, West to the S.W. corner of the S.E. $\frac{1}{4}$ of Sec. 4, T. 3, R. 11, West; thence north along the west line of the S.E. $\frac{1}{4}$ and the N.E. $\frac{1}{4}$ of Sec. 4, T. 3, R. 11, West, to the south bank of Cypress Creek; thence N.E. along the south bank of Cypress Creek to the mouth of Cox Creek; thence N.E. along the south bank of Cox Creek to the north line of Sec. 4, T. 3, R. 11, West; thence east along the north lines of Sec. 4, 3, and 2, T. 3, R. 11, West, to the northwest corner of Sec. 1, T. 3, R. 11, West; thence south along the west line of Sec. 1, T. 3, R. 11, West to the S.W. corner of the N.W. $\frac{1}{4}$ of Sec. 1, T. 3, R. 11, West; thence east along the south line of the N.W. $\frac{1}{4}$ and N.E. $\frac{1}{4}$ of Sec. 1, T. 3, R. 11, West to east line of Sec. 1, T. 3, R. 11, West; thence north along the east line of Sec. 1, T. 3, R. 11, West, to the N. E. corner of Sec. 1, T. 3, R. 11, West; thence east along the north line of Sec. 6, T. 3, R. 10, West, 4192 feet; thence south and parallel to the east line of Sec. 6, T. 3, R. 10, West, to the north line of the Tennessee Valley Authority, Reservation at Wilson Dam, Alabama; thence west along the north line of the TVA Reservation to the N.W. corner of the TVA Reservation; thence south along the west line of the TVA Reservation to the north bank of the Tennessee River; thence west along the north bank of the Tennessee River to the center line of Jones Street according to the map

of the City of Florence, Alabama; thence along the corporate limits of the City of Florence, Alabama, as follows, N.W. along the center line of Jones Street to the north line of Sec. 7, T. 3, R. 10, West; thence west along the north lines of Sec. 7, T. 3, R. 10, West, and Sec. 11, 12, T. 3, R. 11, West to the west line of the Louisville and Nashville Railroad right-of-way; thence north along the west line of the L&N RR right-of-way to the north line of the S.W. $\frac{1}{4}$ of Sec. 2, T. 3, R. 11, West; thence west along the north lines of S.W. $\frac{1}{4}$ of Sec. 2, S.E. $\frac{1}{4}$ Sec. 3 and S.W. $\frac{1}{4}$ Sec. 3, T. 3, R. 11, West to the West line of Sec. 3, T. 3, R. 11, West; thence south along the west line Sec. 3, T. 3, R. 11, West, to the S.W. corner of Sec. 3, T. 3, R. 11, West, this being the point of beginning.

2. The said lands may be added to and made a part of the lands within the corporate limits of the City of Florence, Alabama and the corporate limits of said City may be extended so as to include said land in the matter following, to-wit:

Whenever a governing body of said City shall enact a resolution requesting the Judge of Probate of Lauderdale County, Alabama to call an election on the subject a certified copy of the resolution with a plat of the land annexed shall be filed with the said Judge of Probate. Thereupon, the Judge of Probate shall call and have conducted such election in all respects in accordance with the requirements of Title 37, Chapter 5, Article 1 of the 1947 Code of Alabama. The results of such election will be determined and declared and recorded as provided by law and if the majority of ballots cast shall be "for annexation" the corporate limits shall be enlarged as indicated in this act.

3. This act shall become effective immediately upon its approval by the Governor.

E. F. MARTIN, Mayor,

C. H. JACKSON,

B. F. O'STEEN,

Members of the Board of Commissioners
of the City of Florence, Alabama.

Apr. 23-30-May 7-14c

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA LAUDERDALE COUNTY

I, L. H. BAKER, General Manager of The Florence Times, a newspaper published in Florence, Lauderdale County Alabama, and with a general circulation in Lauderdale County Alabama, and having been mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached notice, hereby make affidavit that the advertising of: A BILL to be entitled AN ACT To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama was published in The Florence Times on the days and dates and in the amount of space as here given, as follows: April 23-30; May 7-14, 1947, 4 times.

Florence, Ala., June 3, 1947.

L. H. BAKER,

General Manager of The Florence Times.

Sworn to before me this 3 day of June 1947.

M. JEROME CARTER,

Notary Public.

(SEAL)

By Messrs. Rogers and Barnett:

H. 279. To amend Sections 4 and 9 of Act 211, approved July 7, 1945, which gives the State Board of Health and hospital associations authority to plan, acquire, construct, equip, maintain, and supervise hospitals, health centers, and related facilities for the

treatment of disease: redefining the duties and terms of the advisory council to the State Board of Health and prescribing qualifications of directors of hospital associations.

Health.

By Messrs. Barnett, Inzer, Roberts, and Ingalls:

H. 280. To provide that no part of the compensation payable under the Workmen's Compensation Law shall be paid to attorneys unless the circuit judge shall order or approve the employment of an attorney; to provide that, subject to stated maximum limits, the fee of any attorney payable out of workmen's compensation shall be fixed by the circuit judge; to provide that in no case under the Workmen's Compensation Law, except as otherwise provided therein, shall the compensation paid thereunder be more than twenty five dollars per week nor less than five dollars per week, with the total amount of weekly payments not to exceed ten thousand dollars; to permit under certain conditions the commutation of periodic payments of workmen's compensation to one or more lump sum payments based on an amount equal to the present value of future installments on a four per cent basis; to require the employer in cases under the Workmen's Compensation Law to pay the actual cost of reasonably necessary medical and surgical treatment, attention, medicines, medical and surgical supplies, crutches and apparatus during the first six months of disability with the total liability therefor not to exceed five hundred dollars; to require an injured employee to submit himself to medical examination; to permit an autopsy where cause of death is obscure; and to repeal all laws or parts of laws in conflict herewith including expressly Sections 1, 6, 16 and 17 of Act Number 661 of the Regular Session of the 1939 Legislature, approved July 10, 1940.

Judiciary.

By Messrs. Barnett, Inzer, Roberts, and Ingalls:

H. 281. To amend Sections 279, 283, 287 and 301 of Title 26, 1940 Code of Alabama.

Judiciary.

By Mr. Barnett:

H. 282. Prescribing the liability of an employer to make compensation by way of damages for certain occupational diseases contracted by an employee and which are peculiar to and arise out of and in the course of his employment, and providing for the enforcement of same, modifying common law and statutory remedies in such cases, regulating procedure for determination of liability and compensation payable, and prescribing penalties for violation thereof, and providing for attorney's fees and for medical and surgical services, and to be known as Article 3 of the Workmen's Compensation Act of Alabama.

Judiciary.

By Mr. Busby:

H. 283. To amend Section 38, Title 31, Code of Alabama 1940.

Judiciary.

By Mr. Pinkston:

H. 284. To amend Sections 852, 853, 854, 855, 856, and 864 of Title 51 of the Code of Alabama 1940, which relates to exemption of disabled veterans from business or occupational licenses.

Ways and Means.

By Mr. Pinkston:

H. 285. To make official records, or true copies thereof, pertaining to an individual's service in the Armed Forces of the United States admissible as primary evidence in any proceeding, criminal, civil, or equitable, in the courts of the State of Alabama.

Judiciary.

By Mr. Pinkston:

H. 286. To amend Sections 1 and 6 of Act 353, approved July 6, 1945, entitled, "To exempt bona fide permanent residents of Alabama who have served 60 days or more in the armed forces of the United States between September 16, 1940, and the termination of the existing war from certain State, county, and municipal business and occupational license taxation."

Ways and Means.

By Mr. Ingalls:

H. 287. To prohibit the issuance of marriage licenses by any probate judge in the state after the hour of six p.m., Central Standard Time, and before the hour of eight a.m., Central Standard Time, and to prescribe a penalty for a violation of this prohibition.

Judiciary.

By Mr. Ingalls:

H. 288. To impose liability on persons in possession of real estate who cause the obstruction of the view of motorists at street intersections.

Local Government.

By Mr. Callahan:

H. 289. To amend Section 154 of Title 41 of the Code of Alabama of 1940, as amended by an Act of the Legislature of Alabama approved June 22, 1943.

Ways and Means.

By Mr. Shelton (with notice and proof):

H. 290. To provide for the compensation of election officers in Tuscaloosa County, Alabama.

Local Legislation.

Notice and Proof H. 290:

NOTICE

Notice is hereby given that application will be made to the legislature of Alabama at the next regular session which begins May 6, 1947, for the passage of the following bill to become a law.

A BILL TO BE ENTITLED AN ACT

To provide for the compensation of election officers in Tuscaloosa County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Each returning officer, inspector, and clerk is entitled to five dollars per day for holding an election in Tuscaloosa County, Alabama. Each returning officer in Tuscaloosa County is entitled also to five cents per mile in going from the voting place to, and returning to the voting place from, the county courthouse.

Section 2. Upon proper proof of service rendered, claims of returning officers, inspectors, and clerks of elections held in Tuscaloosa County shall be paid out of the county treasury. They shall be preferred claims, payable from any money in the county treasury not otherwise appropriated.

I hereby certify that the attached notice was published in the Tuscaloosa News once a week for four consecutive weeks: viz, March 17, 24, 31 and April 7, 1947.

17, 24, 31, Apr. 7-4tc
BRUCE SHELTON,
Publisher.

Subscribed and sworn to before me on this the 23rd day of April, 1947.
(SEAL) LILLA COLLINS,
Notary Public.

By Mr. Shelton (with notice and proof):

H. 291. To provide for the compensation of jurors in Tuscaloosa County, Alabama.

Local Legislation.

Notice and Proof H. 291:

NOTICE

Notice is hereby given that application will be made to the legislature of Alabama at the next regular session which begins May 6, 1947, for the passage of the following bill to become a law.

A BILL TO BE ENTITLED AN ACT

To provide for the compensation of jurors in Tuscaloosa County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The per diem of jurors, grand and petit, in Tuscaloosa County, Alabama, shall be fixed at not less than five dollars. In addition, jurors in Tuscaloosa County are entitled to be paid five cents for each mile traveled, plus ferriage and toll, in going to and returning from court when proved by oath of the juror before the clerk of the court.

Section 2. It shall be the duty of the clerk of the court to give each juror a certificate stating the number of days the juror has served, the number of miles he has traveled, the amount of ferriage and toll that he has paid, and the amount of compensation to which he is entitled. Certificates shall be received in payment of county taxes and other county dues; they are payable out of the county treasury.

I hereby certify that the attached notice was published in the Tuscaloosa News once a week for four consecutive weeks; viz, March 17, 24, 31 and April 7, 1947.

BRUCE SHELTON,
Publisher.

Subscribed and sworn to before me on this the 23rd day of April, 1947.

(SEAL) LILLA COLLINS,
Notary Public.

By Messrs. Thompson (Pike), Mathison, Bennett and Vann:

H. 292. To amend Sections 57, 59 and 60 of Title 2 of the 1940 Code, which relate to regulation and taxation of commercial feeds.

Ways and Means.

By Mr. Black (with notice and proof):

H. 293. To fix the salary of the Clerk of the Circuit Court of Walker County, Alabama, to provide for the payment of same out of the General fund of said county, and to provide that all fees and commissions allowed by law to said Clerk shall be collected by him and paid over to the Treasurer of the county for the use of the general fund; to provide for the employment of two clerks in said Circuit Clerk's office, to fix the amount of their salary, and to provide for the payment of same out of the general fund of said county.

Local Legislation.

Notice and Proof H. 293:

NOTICE

Notice is hereby given that a bill will be introduced in the next session of the Legislature of Alabama, substantially as follows:

AN ACT

To fix the salary of the Clerk of the Circuit Court of Walker County, Alabama, to provide for the payment of same out of the general fund of said county, and to provide that all fees and commissions allowed by law to said Clerk shall be collected by him and paid over to the Treasurer of the county for the use of the general fund; to provide for the employment of two clerks in said Circuit Clerk's office, to fix the amount of their salary,

and to provide for the payment of same out of the general fund of said county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the salary of the Clerk of the Circuit Court of Walker County, Alabama, after the passage and approval of this Act shall be \$4,400 per annum, payable in twelve equal monthly installments and shall be payable by the Treasurer of said county out of the general funds thereof. That all fees and commissions now allowed by law to the Clerk of the Circuit Court in said county be collected by him and paid over to the Treasurer of said county for the use of the general fund thereof.

Section 2. That the Clerk of the Circuit Court of Walker County, Alabama, after the passage and approval of this Act, shall be entitled to employ two clerks for his said office, one of whom shall receive a salary of \$2100 per annum, and the other shall receive a salary of \$1800 per annum, both payable in twelve equal monthly installments out of the general fund of said county, upon a certificate from said Clerk of the Circuit Court that the said clerks so employed served and are entitled to the pay.

Section 3. That the Circuit Clerk of Walker County, with ex-officio duties as Clerk of County Court of Walker County be and is hereby made Clerk of the Juvenile and Domestic Relations Court of Walker County, who shall keep all records of said courts as now provided by law.

Section 4. That all laws or parts of laws in conflict herewith are hereby expressly repealed. 4-3-4T

AFFIDAVIT

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared J. G. Burton, Pres. of the Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two weeks prior to the publication of the Notice (An Act) who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely; April 3, April 10, April 17 and April 24, 1947.

THE UNION NEWS,

By J. G. BURTON.

Sworn and subscribed to before me this 26 day of April 1947.

(SEAL) MRS. ANNIE DAVIS,
Notary Public.

By Mr. Black (with notice and proof):

H. 294. To fix the salary of the Sheriff of Walker County, Alabama; to provide for payment of the same out of the General Fund of the County; to provide that all fees and commissions now allowed the Sheriff for services rendered shall be collected by him and paid over to the Treasurer of the County for the use of the **General Fund of the County**; to provide for the employment of deputies, including a chief deputy, jailers, and an office clerk or bookkeeper in the office of Sheriff of Walker County; to fix their salaries; to provide for the payment of same out of the General Fund of the County; to provide for the expenses of private motor vehicles used by the Sheriff and his deputies in the performance

of their official duties; to provide for the payment of such expenses out of the General Fund of the County; to provide for other necessary expenses of the office of Sheriff of Walker County, including stamps, stationery, books, office supplies, equipment and furnishings; to provide for the payment of such expenses out of the General Fund of the County; and to repeal all laws and parts of laws in conflict herewith.

Local Legislation.

Notice and Proof H. 294:

LEGAL ADV.

Notice is hereby given of intention to apply for the passage of a local law for Walker County, Alabama at the 1947 Regular Session of the Legislature of Alabama which convenes on the first Tuesday in May 1947, which local law reads as follows:

A BILL TO BE ENTITLED AN ACT

To fix the salary of the Sheriff of Walker County, Alabama; to provide for payment of the same out of the General Fund of the County; to provide that all fees and commissions now allowed the Sheriff for services rendered shall be collected by him and paid over to the Treasurer of the County for the use of the General Fund of the County; to provide for the employment of deputies, including a chief deputy, jailers, and an office clerk or bookkeeper in the office of Sheriff of Walker County; to fix their salaries; to provide for the payment of same out of the General Fund of the County; to provide for the expenses of private motor vehicles used by the Sheriff and his deputies in the performance of their official duties; to provide for the payment of such expenses out of the General Fund of the County; to provide for other necessary expenses of the office of Sheriff of Walker County, including stamps, stationery, books, office supplies, equipment and furnishings; to provide for the payment of such expenses out of the General Fund of the County; and to repeal all laws and parts of laws in conflict herewith.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the salary of the Sheriff of Walker County, Alabama shall be \$5,000.00 per year, payable in twelve equal monthly installments by the Treasurer of said County out of the General Fund thereof.

Section 2. That the Sheriff of Walker County shall collect all fees and commissions now allowed by law for services rendered and shall pay same over to the Treasurer of Walker County for the use of the General Fund of the County.

Section 3. That the Sheriff of Walker County shall be entitled to employ one chief deputy at a salary of \$3,000 per year; three other deputies at a salary of \$2,400 per year each; two jailors at a salary of \$1,800 per year each; and one office clerk or bookkeeper at a salary of \$1,800 per year. The salary of the chief deputy, the other deputies, the jailors, and the office clerk or bookkeeper shall be payable in twelve equal monthly installments by the Treasurer of said County out of the General Fund thereof, such payments to be made upon a certificate from the Sheriff to the effect that the person to whom payment is to be made has performed the services for which

payment is sought and is entitled to the pay certified. The deputies herein provided for shall be in lieu of all deputies now allowed by law.

Section 4. That the Sheriff of Walker County shall own and maintain or cause his deputies to own and maintain at least three motor vehicles for use at all times in the performance of their official duties. For the use, repair, maintenance and depreciation of said motor vehicles, and for gasoline and oil with which to operate the same, the Sheriff of Walker County shall be paid, in addition to the salary herein provided, the sum of \$110 per month for each of said motor vehicles, which said sum shall be used to pay the owner of the same for use repair, maintenance and depreciation and for gasoline and oil with which to operate the same. Said sum shall be due to the Sheriff of Walker County by the Treasurer of Walker County out of the General Fund thereof on the last day of each month.

Section 5. That the Sheriff of Walker County shall be furnished such office supplies and equipment for the operation of his office, including stamps, stationery, books, and furnishings, as the Board of Revenue of said County shall deem necessary, payment for the same to be made out of the General Fund of Walker County.

Section 6. That all laws and parts of laws in conflict herewith, and especially Act No. 193, Local Acts 1945, approved June 23, 1945, be and the same are hereby expressly repealed.

Section 7. That this Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

Chester M. Black

STATE OF ALABAMA, COUNTY OF WALKER.

Before me, the undersigned authority in and for said State and County, this day personally appeared E. H. Pierce, Publisher of The Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who, being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Mountain Eagle for 4 consecutive weeks, Namely: 5-1-47, 5-8-47, 5-15-47, 5-22-47.

THE MOUNTAIN EAGLE,

By E. H. Pierce.

Sworn and subscribed to before me This 3 day of June, 1947.

FAY O'REAR,

Notary Public.

(SEAL)

By Mr. Black:

H. 295. To amend Sections 20 and 21 of Title 30 of the 1940 Code, which relate to juries, and repealing all laws in conflict therewith.

Judiciary.

By Mr. Meeks:

H. 296. To amend Sections 343, 344, 347, 348, 349, 354, 355, 356, 357, and 358 of Title 26 of the 1940 Code, which relate to child labor, prohibiting the employment of children under specified ages and conditions.

Public Welfare.

By Mr. Callahan:

H. 297. To amend Section 394 of Title 17 of the 1940 Code, which relates to political party committees.

Constitution and Elections.

ELECTION
BUILDING COMMISSION and LEGISLATIVE
RESEARCH COUNCIL

The hour of eleven o'clock, A.M. having arrived, the House, in accordance with H.R. 13 heretofore adopted, proceeded to hold an election for four members of the Building Commission and six members of the Legislative Research Council.

The Speaker named as committee to canvass the results of the election: Messrs. Haynes of Franklin, McIlwain, Mitchell and Ingalls.

The following members were nominated from the floor of the House for members of the Building Commission:

Messrs. Barnett, Pinson, Pruitt, Miller, Sullivan, Duffey, Wood (Bibb), and Garrett.

On motion of Mr. Tucker, the nominations were closed.

The Committee heretofore appointed to canvass the results announced that Messrs. Wood (Bibb), Sullivan and Miller had received a majority of the votes cast and were duly nominated; Messrs. Barnett and Pruitt received the next highest number of votes cast but had not received a majority.

Mr. Barnett requested that his name be withdrawn and Mr. Pruitt was declared nominated.

In accordance with H.R. 13, the Speaker directed the Clerk to call a viva voce roll of the House, and those who voted for Messrs. Wood (Bibb), Sullivan, Miller and Pruitt, were as follows:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Faulk | McIlwain | Shelton |
| Adams (Dale) | Frasier | Malone | Shirley |
| Adams (Jefferson) | Ganey | Martin | Sightler |
| Beatty | Garrett | Mason | Snodgrass |
| Benford | George | Mathison | Still |
| Brannan | Gibson | Meeks | Stone |
| Brassell | Givhan | Merrill | Taylor (Autauga) |
| Broadwater | Hankins | Miller | Taylor (Hale) |
| Buckner | Harris | Mitchell | Thompson (Crenshaw) |
| Busby | Haynes (Franklin) | Molette | Thompson (Pike) |
| Bush | Haynes (Lowndes) | Nelson | Tucker |
| Callahan | Head | Nettles | Vann |
| Coburn | Hornsby | Norman | Wallace |
| Cole | Ingalls | Pinkston | Ward |
| Cox | Inzer | Pinson | Weaver |
| Crocker | Johnston | Ramey | Whitcomb |
| Davis | Larkins | Richardson | White (Covington) |
| Denton | Leonard | Roberts | White (Perry) |
| Dobbs (Elmore) | McClendon | Robinson | Wood (Bibb) |
| Dobbs (Fayette) | McDanal | Sadler | Wood (Washington) |
| Dumas | McDonald | Sellers | |
| Evans | McGowin | | |

Messrs. Wood (Bibb), Sullivan, Miller and Pruitt having received all the votes cast, which is a majority of the whole House, the Speaker announced that Messrs. Wood (Bibb), Sullivan, Miller and Pruitt had been duly and constitutionally elected as members

of the Building Commission on the part of the House of Representatives.

The following members were nominated from the floor of the House for members of the Legislative Research Council:

Messrs. Roberts, Larkins, Busby, Lovelace, Martin, Haynes (Franklin), Givhan, Davis, Dumas, Merrill, Coburn, Buckner, McDaniel, Barnett and Sellers.

On motion of Mr. Tucker, the nominations were closed.

The Committee heretofore appointed by the Speaker to canvass the results, announced that Messrs. Dumas, Lovelace and Barnett had received a majority of the votes cast and were duly nominated.

Messrs. Martin, Davis, Coburn, Merrill, Givhan and Roberts received the next highest number of votes cast but had not received a majority. On the run-off the Committee heretofore appointed by the Speaker to canvass the results announced that Messrs. Davis, Merrill and Martin had received the highest number of votes and were nominated.

In accordance with H.R. 13, the Speaker directed the Clerk to call a viva voce roll of the House, and those who voted for Messrs. Dumas, Lovelace, Barnett, Davis, Merrill and Martin, were as follows:

| | | | |
|-------------------|------------------|------------|---------------------|
| Mr. Speaker | Faulk | Meeks | Still |
| Adams (Dale) | Ganey | Merrill | Stone |
| Adams (Jefferson) | Garrett | Miller | Sullivan |
| Barnett | Gibson | Mitchell | Taylor (Autauga) |
| Beatty | Gillis | Molette | Taylor (Hale) |
| Broadwater | Givhan | Nelson | Thagard |
| Buckner | Haynes (Lowndes) | Pruitt | Thompson (Crenshaw) |
| Bush | Head | Ramey | Thompson (Pike) |
| Callahan | Hornsby | Richardson | Tucker |
| Coburn | Johnston | Roberts | Vann |
| Cox | Kaul | Robinson | Wallace |
| Davis | Larkins | Sadler | White (Covington) |
| Denton | McClendon | Sellers | White (Perry) |
| Dobbs (Fayette) | McGowin | Shelton | Wood (Bibb) |
| Duffee | Martin | Shirley | Wood (Washington) |
| Dumas | Mason | Sightler | |
| Evans | Mathison | | |

—65

Messrs. Dumas, Lovelace, Barnett, Davis, Merrill and Martin having received all the votes cast, which is a majority of the whole House, the Speaker announced that Messrs. Dumas, Lovelace, Barnett, Davis, Merrill and Martin had been duly and constitutionally elected as members of the Legislative Research Council on the part of the House of Representatives.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 15. Relative to adjournment of the two Houses until Tuesday, June 10th, at 10 o'clock A.M.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 11. Relative to honoring the memory of Jefferson Davis and memorializing his birthday.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Langan:

S. 63. To amend Section 27 of Title 47 of the Code of Alabama 1940, as amended by an Act approved June 23, 1943.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 63. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same forthwith to the House for its consideration.

By Messrs. Hardwick, Swift, Harvey and Gaither:

S.J.R. 13. To designate United States Highway 31 as the "Blue Star Drive."

WHEREAS, the Legislature of Alabama desires to express appreciation to the men and women of Alabama who served in the armed forces of the United States during World War II, and

WHEREAS, several States of the Union have taken similar action as part of a nation-wide movement, therefore

BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring:

1. United States Highway 31 is designated and shall be known as the "Blue Star Drive."

2. The Highway Director is directed to so mark said highway by placing appropriate signs along the right of way.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Davis, the Rules were suspended and the House concurred in and adopted the S.J.R. 13 set out in the above and foregoing message from the Senate.

ADJOURNMENT

On motion of Mr. Tucker, the House, in accordance with H.J.R. 15 heretofore adopted, adjourned until 10 o'clock A.M., Tuesday, June 10, 1947.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 10, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend J. W. Elliott, pastor Emmanuel Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

| | | | |
|-------------------|-----------------|---------|-------------------|
| Mr. Speaker | Buckner | Doughty | Harris |
| Adams (Dale) | Busby | Dumas | Harrison |
| Adams (Jefferson) | Bush | Evans | Haynes (Franklin) |
| Barnett | Callahan | Faulk | Haynes (Lowndes) |
| Beatty | Cobb | Frasier | Head |
| Benford | Coburn | Ganey | Hornsby |
| Bennett | Cole | Garrett | Howell |
| Black | Cox | George | Ingalls |
| Brannan | Crocker | Gibson | Inzer |
| Brassell | Denton | Gillis | Johnston |
| Broadwater | Dobbs (Elmore) | Givhan | Kaul |
| Brown | Dobbs (Fayette) | Hankins | Knight |

| | | | |
|-----------|----------|------------------|-------------------|
| Larkins | Mitchell | Sellers | Thomp- |
| Leonard | Molette | Shelton | son (Crenshaw) |
| Lovelace | Nelson | Shirley | Thompson (Pike) |
| McClendon | Nettles | Sightler | Tucker |
| McDonald | Norman | Snodgrass | Vann |
| McGowin | O'Neal | Stewart | Wallace |
| McIlwain | Pinkston | Still | Ward |
| Malone | Pinson | Stone | Weaver |
| Martin | Pruitt | Sullivan | Whitcomb |
| Mason | Ramey | Taylor (Autauga) | White (Covington) |
| Mathison | Roberts | Taylor (Hale) | White (Perry) |
| Meeks | Robinson | Thagard | Wood (Bibb) |
| Merrill | Rogers | Thomas | Wood (Washington) |
| Miller | Sadler | | |

—101

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the fourth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify you that the Senate has elected the following members to the State Building Commission:

Honorable J. A. Hughes
Honorable Geo. P. Quarles
Honorable R. J. Lowe
Honorable Albert Boutwell

The Senate also elected the following members of the Legislative Council:

Honorable T. F. Burnside
Honorable Henry H. Mize
Honorable Paul J. Hooton
Honorable Preston Clayton

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions your signature thereto is requested:

S.J.R. 9. Relative to: The appreciation of the government of Alabama to the Alabama State Guard.

Also:

S.J.R. 13. Relative to: United States Highway 31 being known as the "Blue Star Drive".

J. E. Speight,
Secretary.

SIGNING OF JOINT SENATE RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Pinson:

H.J.R. 16. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. There is created a special joint committee of the House of Representatives and the Senate of the Legislature of Alabama, consisting of three Representatives, to be appointed by the presiding officer of the House, and two Senators, to be appointed by the presiding officer of the Senate. Appointments to the committee shall be made within one day after the adoption of this resolution. The committee shall elect one of its members to be chairman.

2. It shall be the duty of the committee to investigate and, within thirty days from the adoption of this resolution, or as soon thereafter as practicable, to report to the Legislature on the following:

a) the practicability of promulgating and enforcing in Alabama a code of minimum building standards, applicable to State building and construction, school houses, hotels, and motion picture theatres, similar to that which is required by Act 290, approved July 7, 1945:

b) the feasibility of adopting legislation in Alabama similar to the Georgia Building Safety Law (Act 385, approved March 28, 1947).

3. The chairman of the committee shall have authority to employ and fix the compensation of technical and clerical assistants necessary for the committee's work and to compensate these assistants from funds available to the Legislature. The committee shall have power to call upon any State agency, officer, or employee for aid and advice and to invite the assistance of any other agency or person, public or private.

And H.J.R. 16 was referred to the Standing Committee on Rules.

BILL RE-REFERRED

On motion of Mr. Haynes (Franklin) the bill, H. 168, was re-referred to the Standing Committee on Local Government.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Henderson:

S.J.R. 15. Resolved by the Senate, the House concurring, that when the two houses adjourn today they stand adjourned until Friday, June 13th, 1947 at ten o'clock A. M.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the House concurred in and adopted the S.J.R. 15 set out in the above and foregoing message from the Senate.

COMMITTEE APPOINTMENT

The Speaker appointed Mr. John S. O'Neal as a member of the Standing Committee on Local Legislation.

LEAVE OF ABSENCE

On motion of Mr. Sullivan, leave of absence was granted to Mr. William E. Davis on account of official legislative business in Washington.

BILL POSTPONED

On motion of Mr. Johnston the bill, H. 91, was postponed until the tenth legislative day.

BILLS ON SECOND READING

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Messrs. Harris and Stewart:

H. 258. To amend Section Four of an act entitled "An Act to ratify, heal and cure an Act of the Legislature of Alabama, approved September 6, 1927, and entitled: "An Act To Provide for the election of a County Superintendent of Education of Morgan County, Alabama, by the Qualified Electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officers;" to confirm and validate the election held under and in accordance with the provisions of said Act, and the election of George T. Woodruff as County Superintendent of Education of Morgan County at said election; to fix the term of office of the County Superintendent of Education of Morgan County; to prescribe his salary and the manner of payment; to define his qualifications, powers and duties and to provide for the election of his successors in office," approved March 5th, 1931 so that the salary of the County Superintendent of Education of Morgan County, Alabama, shall be \$4500.00 per year instead of \$3600.00 per year as now provided, beginning July 1, 1947.

By Messrs. Harris and Stewart:

H. 259. To provide for the appointment of a Deputy Clerk of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

By Messrs. Harris and Stewart:

H. 260. For the relief of John H. Green.

By Messrs. Harris and Stewart:

H. 263. To provide for the appointment of a Deputy Register of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

By Messrs. Harris and Stewart:

H. 262. To provide that justices of the peace and notaries public ex officio justices of the peace in Beat One in Morgan County, Alabama shall have territorial jurisdiction coextensive with the limits of Morgan County, Alabama.

By Messrs. Harris and Stewart:

H. 261. To amend an act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers,

duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as last amended.

By Mr. Shelton:

H. 290. To provide for the compensation of election officers in Tuscaloosa County, Alabama.

By Mr. Shelton:

H. 291: To provide for the compensation of jurors in Tuscaloosa County, Alabama.

By Mr. Black:

H. 293. To fix the salary of the Clerk of the Circuit Court of Walker County, Alabama, to provide for the payment of same out of the general fund of said county, and to provide that all fees and commissions allowed by law to said Clerk shall be collected by him and paid over to the Treasurer of the county for the use of the general fund; to provide for the employment of two clerks in said Circuit Clerk's office, to fix the amount of their salary, and to provide for the payment of same out of the general fund of said county.

By Messrs. Sadler, Beatty, Dumas, Meeks, Adams (Jefferson), Gibson, and Kaul:

H. 269. To regulate the office of sheriff in counteis of 400,000 population or over according to the last Federal census or any subsequent Federal census, to exempt the sheriffs of such counties from court costs; to exempt sheriffs from liability for the acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of sheriffs, and to provide for the payment of the premium on the sheriffs and deputies bonds out of the county treasury; authorizing the sheriff to employ an attorney to advise and represent him, whose compensation is to be fixed by the board of revenue or like governing body and paid out of the general fund; and providing when and where this act shall become effective.

By Mr. Black:

H. 294. To fix the salary of the Sheriff of Walker County, Alabama; to provide for payment of the same out of the General Fund of the County; to provide that all fees and commissions now allowed the Sheriff for services rendered shall be collected by him and paid over to the Treasury of the County for the use of the General Fund of the County; to provide for the employment of deputies, including a chief deputy, jailers, and an office clerk or bookkeeper in the office of Sheriff of Walker County; to fix their salaries; to provide for the payment of same out of the General

Fund of the County; to provide for the expenses of private motor vehicles used by the Sheriff and his deputies in the performance of their official duties; to provide for the payment of such expenses out of the General Fund of the County; to provide for other necessary expenses of the office of Sheriff of Walker County, including stamps, stationery, books, office supplies, equipment and furnishings, to provide for the payment of such expenses out of the General Fund of the County; and to repeal all laws and parts of laws in conflict herewith.

By Mr. White (Covington):

H. 252. To alter, rearrange, and extend the boundary lines of the City of Andalusia in Covington County, Alabama.

By Messrs. Barnett and Rogers:

H. 278. To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama,

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wallace:

H. 298. To declare the necessity for and to create a State Housing Corporation to provide housing to relieve the congested and unsanitary housing conditions which exist in certain areas of the State; defining the powers and duties of the corporation; authorizing the borrowing of money, the issuance of securities, and the pledge of revenues; and providing remedies for security holders.

Ways and Means.

By Mr. Mitchell:

H. 299. To prohibit the sale of certain commodities containing two per cent or more alcohol by volume except by persons authorized by law to sell alcohol for medicinal purposes.

Health.

By Mr. White (Covington) (with notice and proof):

H. 300. To amend Section 1 of Act 124, Local Acts of 1935, Page 57, "To provide the Sheriff of Covington County, Alabama, an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy and to make the same payable in equal monthly installments from the General Funds of Covington County; to repeal 1931 Local Act and all other laws in conflict herewith."

Local Legislation.

(Notice and Proof H. 300):

NOTICE OF LOCAL BILL

Notice is hereby given that at the session of the legislature convening in May, 1947, a local bill will be introduced amending Act No. 124, General Acts of 1935, p. 57, entitled "To provide the Sheriff of Covington county, Alabama, an additional deputy sheriff to that now provided by law to fix the salary of said deputy and to make the same payable in equal monthly installments from the general funds of Covington county; to repeal 1931 Local Act and all other laws in conflict therewith." The bill will increase the salary of said deputy from \$75.00 per month to \$125.00 per month. 12c4

THE STATE OF ALABAMA
COVINGTON COUNTY

Before me the undersigned Notary Public in and for said county and State personally appeared Joe Jones, who being duly sworn deposes and says as follows: That he is editor and publisher of The Covington News, a newspaper of general circulation published in Andalusia, Covington County, Alabama; that the notice of local bill hereto attached and made a part of this affidavit was published for four consecutive issues in The Covington News, said publication being made on dates as follows: March 20, 27, April 3, and April 10, all in the year of our Lord, 1947.

JOE JONES.

Subscribed and sworn to before me on this the 7th day of June, 1947.

LORA JONES,

Notary Public.

By Messrs. Rogers, Ramey, Bush, Crocker, Knight, Martin, Mitchell, O'Neal.

H. 301. To amend Section 80 of Title 36 of the 1940 Code, which relates to the operation of trailers on the highways.

Transportation.

By Mr. Sullivan:

H. 302. Relating to insurance: creating a Department of Insurance; defining its powers and duties; transferring to it the function of regulating insurance, the insurance business, insurance companies, and agents; and abolishing the Bureau of Insurance and the Bureau of Rates.

State Administration.

By Mr. Johnston:

H. 303. To Provide for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

Judiciary.

By Mr. Harris:

H. 304. To repeal Act 263, approved July 7, 1945, which provides for and regulates the use of commercial fishing gear in certain public fresh waters of the State.

Conservation.

By Mr. Merrill (with notice and proof):

H. 305. To amend Section 2 of An Act entitled An Act to provide for the election of a County Superintendent of Education for Cleburne County, Alabama by the qualified voters of Cleburne County, Alabama, at the General Election in 1928 and every four years thereafter, to prescribe his qualifications, fix his term of office, prescribe his duties, and to fix his salary and provide the manner of payment of same. Approved September 6th, 1927.

Local Legislation.

Notice and Proof H. 305:

NOTICE

is hereby given that a bill will be introduced in the Legislature of Alabama during the 1947 Session thereof, which bill is in substance as follows:

AN ACT

To amend Section 2 of An Act entitled An Act to provide for the election of a County Superintendent of Education for Cleburne County, Alabama, by the qualified voters of Cleburne County, Alabama, at the General Election in 1928 and every four years thereafter, to prescribe his qualifications, fix his term of office, prescribe his duties, and to fix his salary and provide the manner of payment of same. Approved Sept. 6th, 1927.

SECTION ONE: That Section 2 of An Act entitled An Act to provide for the election of a County Superintendent of Education for Cleburne County, Alabama, by the qualified voters of Cleburne County, Alabama, at the General Election in 1928 and every four years thereafter to prescribe his qualifications, fix his term of office, prescribe his duties, and to fix his salary and provide the manner of payment of same. Approved Sept. 6th, 1927, be and the same is hereby amended to read as follows:

That the salary of said County Superintendent of Education shall be fixed by the County Board of Education of Cleburne County, Alabama, which salary shall not be less than \$2400.00 nor more than \$3600.00 per annum, and which salary shall be paid in the same manner and way as now provided under the general laws of the State of Alabama, for the payment of County Superintendents of Education in the several counties of the State. In addition to said salary said Board of Education may pay the reasonable and necessary expenses incident to the proper management of said Superintendents office.

SECTION TWO: This Act shall go into effect upon its approval by the Governor.

STATE OF ALABAMA CLEBURNE COUNTY

Before me, Myrl Wager, a Notary Public and Ex-Officio Justice of the Peace, in and for said county and state, personally appeared D. W. Hollis Jr. known to me to be the Publisher of The Cleburne News, a newspaper published once each week in Cleburne County, Alabama, who after being **duly sworn deposes and says that he is the Editor and Publisher of The Cleburne News and the attached legal notice was published in said The Cleburne News for four consecutive weeks as follows: May 8th, May 15th, May 22nd, and May 29th, 1947.**

D. W. HOLLIS JR.

Sworn to and subscribed before me this the 9th day of June, 1947.

(SEAL) MYRL WAGER,
Notary Public and Ex-Officio Justice of the Peace.

By Mr. Ganey:

H. 306. Relating to state-wide elections to determine the sentiment of the people of the State of Alabama as to whether or not alcoholic beverages can be sold, distributed or possessed in the State of Alabama and the effect of such elections.

Health.

By Messrs. Leonard & Ganey (with notice and proof):

H. 307. To fix the Ex Officio fees of the Clerk of the Circuit Court of Talladega County, Alabama at the sum of \$1800.00 per year; to provide for the manner of payment of same; and to repeal all laws or parts of laws in conflict therewith.

Local Legislation.

Notice and Proof H. 307:

NOTICE

Notice is hereby given that application to the Legislature will be made for passage and approval of a local Act to fix the Ex Officio fees of the Clerk of the Circuit Court of Talladega County, Alabama, at the sum of \$1800.00 payable in 12 equal monthly installments of \$150.00 from the general fund of Talladega County, Alabama; and to provide for the repeal of all laws and parts of laws in conflict or inconsistent with said Act.

A17,24,m1,8np

THE STATE OF ALABAMA, TALLADEGA COUNTY.

Personally appeared before me, a Notary Public in and for said County, Cecil Hornady, who being duly sworn according to law, deposes and says that he is the Editor of the Talladega News a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: April 17, 1947, April 24, 1947, May 1, 1947, May 8, 1947.

CECIL HORNADY.

Subscribed and sworn to before me this 16 day of May 1947.

ELIZABETH M. YOUNG,

(SEAL)

Notary Public.

By Messrs. Ramey, Martin, Brannan, and White (Perry):

H. 308. To authorize and empower water works boards now or hereafter existing under the provisions of Alabama Code of 1940, Title 37, sections 394 to 402, to have and exercise the same powers, functions, and duties, rights and privileges with respect to gas plants and systems as they now have with respect to water works plants and systems; to authorize the issuance of revenue bonds to finance such gas plants and systems; to authorize municipal corporations to transfer and convey municipally owned gas plants and systems to such water works boards; and to authorize such water works boards to combine any water works plant and system owned by it with a gas plant and system owned by it.

Local Government.

By Messrs. Thagard, Vann and Mathison:

H. 309. To amend Section 671, Title 2, Code of Alabama 1940.
Agriculture.

By Mr. Thagard:

H. 310. To amend Article 2, Chapter 67, Title 14, of the Code of Alabama.

Agriculture.

By Mr. Doughty (with notice and proof):

H. 311. To regulate the jurisdiction of Justices of the Peace and Notary Publics and ex officio Justices of the Peace in Pickens County: their places for holding courts and their fees as such.

Local Legislation.

Notice and Proof H. 311:

AN ACT ENTITLED AN ACT TO REGULATE THE JURISDICTION OF JUSTICES OF THE PEACE AND NOTARY PUBLICS AND EX-OFFICIO JUSTICES OF THE PEACE IN PICKENS COUNTY, THEIR PLACES FOR HOLDING COURT AND THEIR FEES AS SUCH.

Be it enacted by the legislature of the State of Alabama as follows:

Section I. That all justices of the peace and notaries public and ex-officio justices of the peace, now qualified or who shall hereafter qualify as such, shall have and exercise jurisdiction, in addition to the jurisdiction now given them by law, in all beats or precincts in said county where there is no justices of the peace or notary public and ex-officio justices of the peace qualified as such and to the extent of the jurisdiction now possessed by them under the law, and shall have authority to sit and hold court in other beats or precincts than the beat or precinct of their residence and, in their discretion to make process issued by them or from their said court returnable to such other beats or precincts, and, when holding court in such other beats or precincts, shall receive as a fee in addition to the fees now allowed them by law the sum of \$2.50 as a trial fee in all cases tried or disposed of by him or them, both civil and criminal.

Section II. That such justices of the peace and notaries public and ex-officio justices of the peace shall have the right to sit and hold court in the court house of said county, at Carrollton, Alabama, and may hold such court at any place in said beats or precincts as designated by them.

Section III. That all law and parts of laws in conflict herewith be and the same are, hereby repealed.

11-5-4tc

PROOF OF PUBLICATION

THE STATE OF ALABAMA,
PICKENS COUNTY.

Before me, Thalia F. Pratt, a Notary Public in and for said County, personally appeared J. G. PRATT, Publisher of The Pickens County Herald & West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for four consecutive weeks in said paper in issues dated as follows: Nov. 5, 1946; Nov. 12, 1946; Nov. 19, 1946; Nov. 26, 1946.

J. G. PRATT.

Subscribed and sworn to before me, this 1st day of Feb., 1947.

(SEAL)

THALIA F. PRATT,
Notary Public.

By Mr. Doughty:

H. 312. To provide for the punishment of the crime of assault with the intent to ravish.

Judiciary.

By Mr. Frasier:

H. 313. To amend Section 15 of Title 2 of the 1940 Code of Alabama, which prescribes the qualifications of the Commissioner of Agriculture and Industries.

Agriculture.

By Mr. Sullivan

H. 314. To amend Sections 1, 3, 4, 5, and 12 of Act 515, approved July 9, 1945.

State Administration.

By Mr. Garrett:

H. 315. To provide that any sheriff of the State of Alabama shall in certain cases, be entitled to a sum equivalent to 10 cents per mile, to be taxed as costs, for executing a writ of arrest, or like process, issued by any court of competent jurisdiction of Alabama; and to provide for the payment of said claim.

Judiciary.

Messrs. Thagard, McClendon, White (Perry):

H. 316. To make provision for the creation and maintenance of a Sub-Agricultural Experiment Station for Horticultural Research in the Chilton County Horticultural Area for the purpose of finding out new scientific facts in regard to the production, processing, storage, use, and marketing of truck, fruit, and nut crops; the use of fertilizers; the adaptation and improvement of varieties of truck, fruit, and nut crops; the control of insect pests and plant diseases; and other similar horticultural problems having for their object the development of a more permanent, more profitable and diversified horticulture; to designate the counties of the State constituting the Chilton County Horticultural Area; to provide for the location of said Sub-Agricultural Experiment Station for Horticultural Research; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower County Boards of Revenue, County Commissioners, or other governing bodies having similar jurisdiction in the several counties comprising the Chilton County Horticultural Area; individuals, firms, organizations, corporations, companies, or municipalities to make donations and appropriations for the purchase of land and equipment for the said Sub-Agricultural Experiment Station for Horticultural Research; and to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.

Agriculture.

By Mr. Larkins:

H. 317. To amend Section 15 of Title 33 of the 1940 Code, which relates to the lien of a landlord on livestock raised on rented premises.

Judiciary.

By Messrs. White (Covington), Miller, Bush:

H. 318. To amend Section 298 of Title 52 of the 1940 Code, which relates to the minimum age at which children may enter public school.

Education.

By Messrs. White (Covington), Miller:

H. 319. To amend Section 73 of Title 29 of the 1940 Code which relates to unlawful sites for the sale of intoxicating beverages.

Education.

By Messrs. Meeks, Kaul, Sadler, Gibson, Adams (Jefferson), Dumas, Harris, Black, Buckner, Merrill:

H. 320. To Amend Section 2, Title 51, Code of Alabama 1940, Relating to Exemptions from Ad Valorem Taxes of Certain Property and Persons.

Ways & Means.

By Mr. White (Perry) & Messrs Givhan, Lovelace, Barnett:

H. 321. To appropriate to each of the sixty-seven counties of the State of Alabama one-fourth of the proceeds of business license taxes collected by the State in each county; to provide for the payment thereof to the counties; and to provide the expenditure thereof by the counties.

Local Government.

By Mr. Robinson (with notice and proof):

H. 322. To repeal Act 627, approved July 10, 1940, entitled, "To prohibit the use of steel traps and similar devices in Lowndes County, Alabama, and prescribe punishment for violation of this act."

Local Legislation.

Notice and Proof H. 322:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act 627, approved July 10, 1940, entitled, "To prohibit the use of steel traps and similar devices in Lowndes County, Alabama, and prescribe punishment for violation of this act."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Act 627, approved July 10, 1940, entitled, "To prohibit the use of steel traps and similar devices in Lowndes County, Alabama, and prescribe punishment for violation of this act," is repealed.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
LOWNDES COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. Kenneth Perry, who, being by me first duly sworn, deposes and says that he is publisher of The Lowndes Signal which is and has been during the times herein mentioned, a newspaper of general circulation published in Fort Deposit, Lowndes County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 2nd day of May 1947, 9th day of May 1947, 16th day of May 1947, 23rd day of May 1947, and that said publication was made without cost to the State of Alabama.

S. KENNETH PERRY,
Publisher.

Sworn to and subscribed before me this 7th day of June, 1947.

J. LEVY DAVIS,
Notary Public.

(SEAL)

By Mr. Givhan:

H. 323. To make appropriations to Alabama Polytechnic Institute for constructing, erecting, equipping, furnishing, maintaining and operating a farm machinery building and laboratory and demonstration facilities.

Ways and Means.

By Mr. Stone:

H. 324. To amend Section 123 of Title 7 of the 1940 Code of Alabama.

Judiciary.

BILLS ON THIRD READING

H. 95. To Amend Section 776, Title 51, Article 10, Chapter 20, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|-----------|
| Mr. Speaker | Cox | Givhan | Lovelace |
| Adams (Dale) | Crocker | Hankins | McClendon |
| Adams (Jefferson) | Denton | Harris | McDonald |
| Benford | Dobbs (Elmore) | Harrison | McGowin |
| Brannan | Dobbs (Fayette) | Haynes (Franklin) | McIlwain |
| Brassell | Dumas | Haynes (Lowndes) | Malone |
| Broadwater | Evans | Head | Martin |
| Buckner | Faulk | Hornsby | Mason |
| Busby | Ganey | Howell | Mathison |
| Bush | Garrett | Ingalls | Merrill |
| Callahan | George | Johnston | Miller |
| Coburn | Gibson | Kaul | Mitchell |
| Cole | Gillis | Knight | Molette |

| | | | |
|----------|-----------|------------------|-------------------|
| Nelson | Rogers | Sullivan | Vann |
| Norman | Sellers | Taylor (Autauga) | Wallace |
| O'Neal | Shelton | Taylor (Hale) | Ward |
| Pinkston | Shirley | Thagard | Weaver |
| Pinson | Sightler | Thomas | Whitcomb |
| Ramey | Snodgrass | Thompson | White (Covington) |
| Roberts | Still | son (Crenshaw) | White (Perry) |
| Robinson | Stone | Thompson (Pike) | Wood (Washington) |

—83

And the bill:

H. 96. To prohibit the further issuance and sale of sales tax tokens; to provide for and require the redemption of tokens currently circulating in Alabama; and to make an appropriation for the payment of expense incurred thereby.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Evans | McDonald | Shelton |
| Adams (Dale) | Faulk | McGowin | Shirley |
| Adams (Jefferson) | Ganey | McIlwain | Sightler |
| Barnett | Garrett | Malone | Snodgrass |
| Benford | George | Martin | Still |
| Brannan | Gibson | Mason | Stone |
| Brassell | Gillis | Mathison | Sullivan |
| Broadwater | Givhan | Merrill | Taylor (Autauga) |
| Buckner | Hankins | Miller | Taylor (Hale) |
| Busby | Harris | Mitchell | Thagard |
| Bush | Harrison | Molette | Thomas |
| Callahan | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Cobb | Haynes (Lowndes) | Norman | Vann |
| Coburn | Head | O'Neal | Wallace |
| Cole | Howell | Pinkston | Ward |
| Cox | Johnston | Pinson | Weaver |
| Crocker | Kaul | Ramey | Whitcomb |
| Denton | Knight | Roberts | White (Covington) |
| Dobbs (Elmore) | Leonard | Robinson | White (Perry) |
| Dobbs (Fayette) | Lovelace | Rogers | Wood (Washington) |
| Dumas | McClendon | Sellers | |

—83

BILL POSTPONED

On motion of Mr. Barnett the bill, H. 123, was postponed until the Tenth legislative day.

BILLS ON THIRD READING RESUMED

H. 130. To amend Section 491 of Title 7, of the 1940 Code of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Dumas | Leonard | Rogers |
| Adams (Dale) | Evans | Lovelace | Sellers |
| Adams (Jefferson) | Faulk | McClendon | Shelton |
| Barnett | Ganey | McDonald | Shirley |
| Benford | Garrett | McGowin | Sightler |
| Brannan | George | McIlwain | Snodgrass |
| Brassell | Gibson | Malone | Still |
| Broadwater | Gillis | Mason | Stone |
| Buckner | Givhan | Mathison | Taylor (Autauga) |
| Busby | Hankins | Merrill | Taylor (Hale) |
| Bush | Harris | Miller | Thagard |
| Callahan | Harrison | Mitchell | Thompson (Pike) |
| Cobb | Haynes (Franklin) | Molette | Vann |
| Coburn | Haynes (Lowndes) | Nelson | Wallace |
| Cole | Head | Norman | Ward |
| Cox | Howell | Pinkston | Weaver |
| Denton | Ingalls | Ramey | Whitcomb |
| Dobbs (Elmore) | Johnston | Roberts | White (Covington) |
| Dobbs (Fayette) | Kaul | Robinson | Wood (Washington) |
| Doughty | Knight | | |

—78

Nays: Mr. Thompson (Crenshaw)

—1

And the bill:

H. 101. To provide for the transfer of \$150,000.00 in the State Treasury to the credit of the Tax Token Redemption Fund for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Alabama Special Educational Trust Fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|---------------------|
| Mr. Speaker | Dumas | Lovelace | Sellers |
| Adams (Dale) | Evans | McClendon | Shelton |
| Adams (Jefferson) | Faulk | McDonald | Shirley |
| Barnett | Ganey | McGowin | Sightler |
| Benford | Garrett | McIlwain | Snodgrass |
| Brannan | George | Malone | Still |
| Brassell | Gibson | Martin | Stone |
| Broadwater | Gillis | Mason | Sullivan |
| Buckner | Givhan | Mathison | Taylor (Autauga) |
| Busby | Hankins | Merrill | Thomas |
| Bush | Harris | Miller | Thompson (Crenshaw) |
| Callahan | Harrison | Mitchell | Thompson (Pike) |
| Cobb | Haynes (Franklin) | Molette | Vann |
| Coburn | Haynes (Lowndes) | Nelson | Wallace |
| Cole | Head | Norman | Ward |
| Cox | Howell | O'Neal | Weaver |
| Crocker | Ingalls | Pinkston | Whitcomb |
| Denton | Johnston | Pinson | White (Covington) |
| Dobbs (Elmore) | Kaul | Roberts | White (Perry) |
| Dobbs (Fayette) | Knight | Robinson | Wood (Washington) |
| Doughty | Leonard | Rogers | |

—83

And the bill:

H. 18. To amend Section 179, of Title 13, of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 19.

Yeas:

| | | | |
|-------------------|------------------|----------|-------------------|
| Mr. Speaker | Faulk | McDonald | Sellers |
| Adams (Dale) | Ganey | McIlwain | Shelton |
| Adams (Jefferson) | Garrett | Martin | Snodgrass |
| Barnett | George | Mason | Still |
| Benford | Givhan | Mathison | Stone |
| Brannan | Hankins | Merrill | Taylor (Autauga) |
| Brassell | Harris | Miller | Taylor (Hale) |
| Buckner | Harrison | Molette | Thagard |
| Bush | Haynes (Lowndes) | Nelson | Vann |
| Callahan | Head | Norman | Ward |
| Crocker | Ingalls | Pinson | Weaver |
| Denton | Johnston | Ramey | Whitcomb |
| Dobbs (Elmore) | Knight | Roberts | White (Covington) |
| Dumas | Lovelace | Robinson | Wood (Washington) |
| Evans | McClendon | Rogers | —59 |

Nays:

| | | | |
|-----------------|-------------------|----------|-----------------|
| Messrs.: | Doughty | Kaul | Pinkston |
| Busby | Gibson | Leonard | Shirley |
| Coburn | Gillis | Malone | Thomp- |
| Cole | Haynes (Franklin) | Mitchell | son (Crenshaw) |
| Cox | Howell | O'Neal | Thompson (Pike) |
| Dobbs (Fayette) | | | —19 |

And the bill:

H. 152. To amend Section 2 of an Act entitled: "An Act To Provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama in supervising the construction, maintenance and up-keep of the roads and bridges in his District and to fix the salary and compensation of said Commissioners" Approved February 18, 1927.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

| | | | |
|-------------------|----------------|---------|-------------------|
| Mr. Speaker | Busby | Dumas | Hankins |
| Adams (Dale) | Bush | Evans | Harris |
| Adams (Jefferson) | Callahan | Faulk | Harrison |
| Barnett | Cobb | Ganey | Haynes (Franklin) |
| Black | Coburn | Garrett | Haynes (Lowndes) |
| Brannan | Cox | George | Howell |
| Brassell | Crocker | Gibson | Ingalls |
| Broadwater | Denton | Gillis | Johnston |
| Buckner | Dobbs (Elmore) | Givhan | Kaul |

| | | | |
|-----------|----------|------------------|-------------------|
| McClendon | Pinkston | Shirley | Vann |
| McGowin | Pinson | Sightler | Wallace |
| Mason | Ramey | Snodgrass | Ward |
| Mathison | Roberts | Sullivan | Weaver |
| Merrill | Robinson | Taylor (Autauga) | Whitcomb |
| Miller | Rogers | Thagard | White (Covington) |
| Nelson | Sellers | Thomas | Wood (Washington) |
| O'Neal | Shelton | Thompson (Pike) | —67 |

And the bill:

H. 142. To repeal Act Number 167 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligation holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|---------------------|
| Mr. Speaker | Faulk | McClendon | Shirley |
| Adams (Dale) | Frasier | McDonald | Sightler |
| Adams (Jefferson) | Ganey | Malone | Snodgrass |
| Barnett | George | Martin | Stone |
| Black | Gibson | Mason | Sullivan |
| Brassell | Gillis | Mathison | Taylor (Autauga) |
| Broadwater | Givhan | Meeks | Thagard |
| Buckner | Hankins | Merrill | Thomas |
| Busby | Harris | Miller | Thompson (Crenshaw) |
| Bush | Harrison | Molette | Thompson (Pike) |
| Callahan | Haynes (Franklin) | Nelson | Vann |
| Coburn | Haynes (Lowndes) | O'Neal | Ward |
| Cox | Head | Pinkston | Weaver |
| Crocker | Howell | Ramey | Whitcomb |
| Denton | Ingalls | Roberts | White (Covington) |
| Doughty | Johnston | Rogers | White (Perry) |
| Dumas | Kaul | Sellers | |
| Evans | Knight | Shelton | —70 |

And the bill:

H. 143. To repeal Act Number 166 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligations holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; to provide for the sale of slum areas."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Faulk | Leonard | Shelton |
| Adams (Dale) | Ganey | McDonald | Shirley |
| Adams (Jefferson) | Garrett | Malone | Sightler |
| Barnett | George | Mason | Snodgrass |
| Black | Gibson | Mathison | Taylor (Autauga) |
| Brassell | Givhan | Meeks | Thagard |
| Broadwater | Hankins | Merrill | Thomas |
| Buckner | Harris | Miller | Thompson |
| Bush | Harrison | Molette | son (Crenshaw) |
| Callahan | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Cobb | Haynes (Lowndes) | O'Neal | Vann |
| Coburn | Head | Pinkston | Wallace |
| Cox | Hornsby | Ramey | Ward |
| Denton | Howell | Roberts | Weaver |
| Dobbs (Elmore) | Johnston | Robinson | Whitcomb |
| Doughty | Kaul | Rogers | White (Covington) |
| Dumas | Knight | Sellers | Wood (Washington) |
| Evans | | | |

—68

And the bill:

H. 171. To provide for the appointment of a deputy clerk of the Circuit Court of Cullman County, Alabama; to prescribe the duties, powers and authority and fix the compensation and salary of such deputy clerk and to designate the method of payment and the fund from which said compensation and salary is payable. To repeal all laws in conflict with the provisions of this Act; to provide that the partial invalidity of this Act shall not affect the remainder hereof; and to fix the time when this Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|-----------|-------------------|
| Mr. Speaker | Faulk | Leonard | Rogers |
| Adams (Dale) | Ganey | McClendon | Sellers |
| Barnett | Garrett | McDonald | Shelton |
| Benford | George | McGowin | Shirley |
| Black | Gibson | Martin | Taylor (Autauga) |
| Broadwater | Gillis | Mason | Thagard |
| Buckner | Givhan | Mathison | Thomas |
| Busby | Hankins | Merrill | Thomp- |
| Bush | Harrison | Miller | son (Crenshaw) |
| Callahan | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Cobb | Haynes (Lowndes) | O'Neal | Vann |
| Coburn | Head | Pinkston | Ward |
| Cox | Hornsby | Pinson | Weaver |
| Dobbs (Elmore) | Ingalls | Ramey | Whitcomb |
| Dumas | Johnston | Roberts | White (Covington) |
| Evans | Knight | Robinson | Wood (Washington) |

—63

And the bill:

H. 159. To authorize and empower the Sheriff of Chambers County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the Court of County Commissioners to pay the same by warrant drawn on the treasurer and paid out of the general fund of said County, and to require said deputy to give bond in the sum of \$2000.00, payable to said Sheriff, with conditions as required by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Frasier | Leonard | Sellers |
| Adams (Dale) | Givhan | McClendon | Shelton |
| Adams (Jefferson) | Hankins | McDonald | Shirley |
| Barnett | Ganey | McGowin | Still |
| Benford | George | Martin | Thagard |
| Black | Gibson | Mathison | Thomas |
| Brassell | Gillis | Meeks | Thomp- |
| Broadwater | Harrison | Merrill | son (Crenshaw) |
| Buckner | Haynes (Franklin) | Miller | Thompson (Pike) |
| Busby | Haynes (Lowndes) | Molette | Vann |
| Bush | Head | Nelson | Wallace |
| Callahan | Hornsby | O'Neal | Ward |
| Coburn | Howell | Pinkston | Weaver |
| Cox | Ingalls | Pinson | Whitcomb |
| Denton | Johnston | Roberts | White (Covington) |
| Doughty | Kaul | Robinson | Wood (Washington) |
| Dumas | Knight | Rogers | |

—66

And the bill:

H. 160. To provide for a clerk in the office of the Clerk of the Circuit Court of Chambers County, Alabama; to fix the method and basis of such clerk's employment and compensation, and to designate the fund from which payable. To repeal all laws in conflict herewith; to provide that the partial invalidity of this act shall not affect the remainder thereof; and to fix the time when this act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Dumas | McClendon | Shelton |
| Adams (Dale) | Faulk | McDonald | Shirley |
| Adams (Jefferson) | Ganey | Mathison | Sightler |
| Barnett | George | Meeks | Snodgrass |
| Benford | Gibson | Merrill | Still |
| Black | Gillis | Miller | Taylor (Autauga) |
| Brassell | Givhan | Molette | Thagard |
| Broadwater | Hankins | Nelson | Thomas |
| Buckner | Harrison | O'Neal | Thompson (Pike) |
| Busby | Haynes (Franklin) | Pinkston | Vann |
| Callahan | Haynes (Lowndes) | Pinson | Wallace |
| Cobb | Head | Roberts | Ward |
| Coburn | Howell | Robinson | Weaver |
| Cox | Kaul | Rogers | Whitcomb |
| Denton | Leonard | Sellers | White (Covington) |
| Doughty | Lovelace | | |

—62

And the bill:

H. 161. To alter or re-arrange the boundary lines of the City of Lanett, Chambers County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Chambers County, Alabama:

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|---------|-------------------|----------|
| Mr. Speaker | Coburn | Harris | Malone |
| Adams (Dale) | Denton | Harrison | Martin |
| Adams (Jefferson) | Doughty | Haynes (Franklin) | Mason |
| Barnett | Dumas | Haynes (Lowndes) | Mathison |
| Benford | Evans | Head | Meeks |
| Black | Faulk | Howell | Merrill |
| Brassell | Ganey | Ingalls | Miller |
| Broadwater | Garrett | Kaul | Molette |
| Buckner | George | Knight | Nelson |
| Busby | Gibson | Leonard | Nettles |
| Bush | Gillis | Lovelace | O'Neal |
| Callahan | Givhan | McClendon | Pinkston |
| Cobb | Hankins | McDonald | Pinson |

| | | | |
|----------|------------------|-----------------|-------------------|
| Ramey | Shelton | Thagard | Wallace |
| Roberts | Shirley | Thomas | Weaver |
| Robinson | Sightler | Thomp- | Whitcomb |
| Rogers | Snodgrass | son (Crenshaw) | White (Covington) |
| Sellers | Taylor (Autauga) | Thompson (Pike) | White (Perry) |

—71

And the bill:

H. 162. To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|----------|-------------------|
| Mr. Speaker | Ganey | McDonald | Shirley |
| Adams (Dale) | Garrett | McGowin | Sightler |
| Adams (Jefferson) | George | Malone | Snodgrass |
| Benford | Gibson | Martin | Stone |
| Black | Gillis | Mason | Taylor (Hale) |
| Brassell | Givhan | Mathison | Thagard |
| Broadwater | Hankins | Meeks | Thomas |
| Buckner | Harris | Merrill | Thomp- |
| Busby | Haynes (Lowndes) | Miller | son (Crenshaw) |
| Bush | Head | O'Neal | Thompson (Pike) |
| Cobb | Howell | Pinkston | Vann |
| Coburn | Ingalls | Pinson | Wallace |
| Cole | Kaul | Ramey | Ward |
| Cox | Knight | Roberts | Weaver |
| Denton | Leonard | Sellers | Whitcomb |
| Evans | McClendon | Shelton | White (Covington) |
| Faulk | | | |

—64

And the bill:

H. 236. To amend Section 2 of Act 216, approved May 28, 1931, entitled, "An Act To preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district and the Judge of Probate of said county a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix their salaries, to repeal an act approved August 20, 1927, of the local acts of 1927 on page 234 thereof", by increasing the automobile allowance of the commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|----------|-------------------|
| Messrs.: | Ganey | McGowin | Sightler |
| Adams (Dale) | Garrett | Malone | Snodgrass |
| Adams (Jefferson) | George | Martin | Taylor (Autauga) |
| Benford | Gibson | Mason | Taylor (Hale) |
| Black | Gillis | Mathison | Thagard |
| Brassell | Hankins | Meeks | Thomas |
| Broadwater | Harris | Merrill | Thompson |
| Buckner | Harrison | Miller | son (Crenshaw) |
| Busby | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Bush | Head | O'Neal | Vann |
| Callahan | Howell | Pinkston | Wallace |
| Cobb | Ingalls | Pinson | Ward |
| Cole | Johnston | Ramey | Weaver |
| Cox | Kaul | Roberts | Whitcomb |
| Denton | Knight | Robinson | White (Covington) |
| Doughty | Lovelace | Sellers | White (Perry) |
| Evans | McClendon | Shelton | Wood (Washington) |
| Faulk | McDonald | Shirley | |

—69

And the bill:

H. 203. To Amend Sections 1, 6, 8, 14 and 28 of An Act entitled An Act "To Establish a Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for its officers, their duties and powers and compensation; to provide for trial tax and other fees; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said court; to provide for an official court reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County", approved May 29, 1931.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|-------------------|----------------|------------------|-----------------|
| Messrs.: | Callahan | Garrett | Kaul |
| Adams (Dale) | Cobb | George | Knight |
| Adams (Jefferson) | Coburn | Gibson | Leonard |
| Barnett | Cole | Gillis | Lovelace |
| Benford | Cox | Givhan | McClendon |
| Black | Denton | Hankins | McDonald |
| Brannan | Dobbs (Elmore) | Harris | McGowin |
| Brassell | Doughty | Harrison | Malone |
| Buckner | Evans | Haynes (Lowndes) | Martin |
| Busby | Faulk | Head | Mason |
| Bush | Ganey | Howell | Mathison |

| | | | |
|----------|----------|------------------|-------------------|
| Meeks | Ramey | Taylor (Autauga) | Wallace |
| Merrill | Roberts | Taylor (Hale) | Ward |
| Miller | Robinson | Thagard | Weaver |
| Molette | Rogers | Thomas | Whitcomb |
| Nelson | Sellers | Thomp- | White (Covington) |
| O'Neal | Shelton | son (Crenshaw) | White (Perry) |
| Pinkston | Shirley | Thompson (Pike) | Wood (Washington) |
| Pinson | Sightler | | |

—72

And the bill:

H. 230. To repeal Act 437, approved July 6, 1945, entitled "An Act To limit the jurisdiction and powers of justices of peace in criminal cases in counties which now or hereafter, according to the most recent Federal census, may have populations between 75,000 and 100,000."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Messrs. : | Dobbs (Elmore) | McClendon | Sellers |
| Adams (Jefferson) | Dobbs (Fayette) | McDonald | Shelton |
| Barnett | Evans | Malone | Shirley |
| Benford | Ganey | Martin | Sightler |
| Black | Garrett | Mason | Snodgrass |
| Brannan | George | Mathison | Thagard |
| Brassell | Gibson | Meeks | Thomas |
| Broadwater | Givhan | Merrill | Thomp- |
| Buckner | Hankins | Miller | son (Crenshaw) |
| Busby | Harris | Molette | Thompson (Pike) |
| Bush | Harrison | Nelson | Wallace |
| Callahan | Haynes (Lowndes) | O'Neal | Ward |
| Cobb | Head | Pinkston | Weaver |
| Coburn | Howell | Pinson | Whitcomb |
| Cole | Kaul | Ramey | White (Covington) |
| Cox | Knight | Roberts | White (Perry) |
| Denton | Leonard | Rogers | Wood (Washington) |

—66

And the bill:

H. 207. To alter, extend and rearrange the boundary line of the City of Huntsville, Alabama, and describe the area included therein for all purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|------------|-----------------|---------|
| Messrs. : | Brassell | Coburn | Faulk |
| Adams (Dale) | Broadwater | Cole | Ganey |
| Adams (Jefferson) | Buckner | Cox | Garrett |
| Benford | Busby | Denton | George |
| Bennett | Bush | Dobbs (Fayette) | Gibson |
| Black | Callahan | Dumas | Gillis |
| Brannan | Cobb | Evans | Givhan |

| | | | |
|------------------|----------|------------------|-------------------|
| Hankins | Mason | Robinson | Thomp- |
| Harris | Mathison | Sellers | son (Crenshaw) |
| Harrison | Merrill | Shelton | Thompson (Pike) |
| Haynes (Lowndes) | Miller | Shirley | Wallace |
| Head | Molette | Sightler | Ward |
| Howell | Nelson | Snodgrass | Weaver |
| Kaul | O'Neal | Taylor (Autauga) | Whitcomb |
| McClendon | Pinkston | Taylor (Hale) | White (Covington) |
| McDonald | Pinson | Thagard | White (Perry) |
| Malone | Ramey | Thomas | Wood (Washington) |
| Martin | Roberts | | |

—62

And the bill:

H. 206. To alter, extend and rearrange the boundary lines of the City of Huntsville, Alabama, and describe the area included therein for all purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Messrs.: | Dobbs (Elmore) | Howell | Sellers |
| Adams (Dale) | Dobbs (Fayette) | Johnston | Shelton |
| Adams (Jefferson) | Doughty | Kaul | Shirley |
| Benford | Dumas | Leonard | Sightler |
| Black | Evans | McClendon | Snodgrass |
| Brannan | Gancy | McDonald | Thagard |
| Brassell | Garrett | Mason | Thomas |
| Broadwater | George | Merrill | Thomp- |
| Buckner | Gibson | Miller | son (Crenshaw) |
| Busby | Gillis | Molette | Thompson (Pike) |
| Bush | Givhan | Nelson | Wallace |
| Callahan | Hankins | O'Neal | Ward |
| Coburn | Harris | Pinkston | Weaver |
| Cole | Harrison | Pinson | Whitcomb |
| Cox | Haynes (Franklin) | Ramey | White (Covington) |
| Crocker | Haynes (Lowndes) | Roberts | White (Perry) |
| Denton | Head | Robinson | Wood (Washington) |

—66

And the bill:

H. 208. To provide for exemption of property from ad valorem taxation by the City of Huntsville until the fiscal year beginning October 1, 1947, in any area which may be added to the corporate limits of the City of Huntsville by any act of the Legislature of Alabama passed at any time during the session of such Legislature of Alabama beginning on the first Tuesday in May, 1947.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|---------------------|
| Messrs.: | Dobbs (Elmore) | Kaul | Shelton |
| Adams (Dale) | Dobbs (Fayette) | Leonard | Shirley |
| Adams (Jefferson) | Dumas | McClendon | Sightler |
| Barnett | Evans | Malone | Snodgrass |
| Benford | Faulk | Mason | Taylor (Hale) |
| Black | Ganey | Meeks | Thagard |
| Brannan | Garrett | Merrill | Thomas |
| Brassell | George | Miller | Thompson (Crenshaw) |
| Broadwater | Gibson | Molette | Thompson (Pike) |
| Buckner | Gillis | Nelson | Vann |
| Busby | Givhan | O'Neal | Wallace |
| Bush | Hankins | Pinkston | Ward |
| Callahan | Harris | Pinson | Weaver |
| Cobb | Harrison | Ramey | Whitcomb |
| Coburn | Haynes (Lowndes) | Roberts | White (Covington) |
| Cole | Head | Robinson | White (Perry) |
| Cox | Howell | Rogers | Wood (Washington) |
| Denton | Johnston | Sellers | |

—70

And the bill:

H. 205. To amend Section 1 of Act 102, approved June 6, 1935, which relates to the method of selecting and the term of office of the Superintendent of Education for Macon County, by providing for his appointment by the Board of Education for Macon County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|---------------------|
| Messrs.: | Dobbs (Fayette) | Leonard | Shirley |
| Adams (Dale) | Doughty | Lovlace | Sightler |
| Adams (Jefferson) | Dumas | McClendon | Snodgrass |
| Barnett | Evans | McDonald | Sullivan |
| Benford | Faulk | McGowin | Taylor (Autauga) |
| Black | Ganey | Malone | Taylor (Hale) |
| Brannan | Garrett | Mason | Thagard |
| Brassell | George | Merrill | Thomas |
| Broadwater | Gibson | Miller | Thompson (Crenshaw) |
| Buckner | Gillis | Mitchell | Thompson (Pike) |
| Busby | Givhan | Molette | Vann |
| Bush | Harris | Nelson | Wallace |
| Callahan | Harrison | O'Neal | Ward |
| Cobb | Haynes (Franklin) | Pinson | Weaver |
| Coburn | Haynes (Lowndes) | Ramey | Whitcomb |
| Cole | Head | Roberts | White (Covington) |
| Cox | Howell | Robinson | White (Perry) |
| Crocker | Johnston | Rogers | Wood (Washington) |
| Denton | Kaul | Sellers | |
| Dobbs (Elmore) | Knight | Shelton | |

—77

And the bill:

H. 228. To fix the salary of the Deputy Solicitor of Talladega County, Alabama

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Messrs.: | Evans | Knight | Shirley |
| Adams (Jefferson) | Faulk | Leonard | Snodgrass |
| Benford | Frasier | Lovelace | Sullivan |
| Black | Ganey | McClendon | Taylor (Autauga) |
| Brannan | Garrett | McDonald | Taylor (Hale) |
| Brassell | George | Malone | Thagard |
| Broadwater | Gibson | Mason | Thomas |
| Buckner | Gillis | Merrill | Thompson |
| Busby | Givhan | Miller | son (Crenshaw) |
| Callahan | Hankins | Mitchell | Thompson (Pike) |
| Coburn | Harris | Nelson | Vann |
| Cole | Harrison | O'Neal | Wallace |
| Cox | Haynes (Lowndes) | Pinson | Ward |
| Crocker | Head | Ramey | Weaver |
| Denton | Howell | Roberts | Whitcomb |
| Dobbs (Elmore) | Ingalls | Robinson | White (Covington) |
| Dobbs (Fayette) | Johnston | Sellers | White (Perry) |
| Doughty | Kaul | Shelton | Wood (Washington) |
| Dumas | | | |

—71

And the bill:

H. 176. To provide for the payment of claims from the DeKalb County Court Fine and Forfeiture Fund, arising in the Circuit Court, and to provide for their cancellation arising prior to February 8, 1939, and to provide payment of said claims by the custodian of said funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Doughty | Knight | Shelton |
| Adams (Dale) | Dumas | Leonard | Shirley |
| Adams (Jefferson) | Evans | Lovelace | Sightler |
| Barnett | Faulk | McClendon | Snodgrass |
| Benford | Frasier | McDonald | Sullivan |
| Black | Ganey | McGowin | Taylor (Autauga) |
| Brannan | Garrett | Malone | Taylor (Hale) |
| Brassell | George | Mason | Thagard |
| Broadwater | Gibson | Meeks | Thomas |
| Buckner | Gillis | Merrill | Thompson |
| Busby | Givhan | Miller | son (Crenshaw) |
| Bush | Hankins | Mitchell | Thompson (Pike) |
| Callahan | Harris | Nelson | Vann |
| Coburn | Harrison | O'Neal | Wallace |
| Cole | Haynes (Lowndes) | Pinson | Ward |
| Cox | Head | Ramey | Weaver |
| Crocker | Howell | Roberts | Whitcomb |
| Denton | Ingalls | Robinson | White (Covington) |
| Dobbs (Elmore) | Johnston | Rogers | Wood (Washington) |
| Dobbs (Fayette) | Kaul | Sellers | |

—78

BILL, POSTPONED

On motion of Mr. Benford, the bill, H. 111, proposing an amendment to the Constitution, was postponed to the Tenth legislative day.

BILLS ON THIRD READING RESUMED

H. 179. To propose an amendment to the Constitution which will permit Escambia County to levy and collect a tax, not exceeding four mills on each dollar of taxable property, to be used solely for acquiring, constructing, operating, equipping, or maintaining county hospitals, or other public hospitals, nonprofit hospitals and public health facilities; ordering a special election thereon and providing for the payment of the expenses of the election.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Dumas | Leonard | Shirley |
| Adams (Dale) | Evans | Lovelace | Sightler |
| Adams (Jefferson) | Faylk | McDonald | Snodgrass |
| Barnett | Frasier | McGowin | Stone |
| Brannan | Ganey | Mason | Sullivan |
| Brassell | Garrett | Meeks | Taylor (Autauga) |
| Broadwater | George | Merrill | Taylor (Hale) |
| Buckner | Gibson | Miller | Thagard |
| Busby | Gillis | Mitchell | Thomas |
| Bush | Givhan | Molette | Thomp- |
| Callahan | Hankins | Nelson | son (Crenshaw) |
| Coburn | Harris | O'Neal | Thompson (Pike) |
| Cole | Haynes (Franklin) | Pinson | Vann |
| Cox | Haynes (Lowndes) | Ramey | Wallace |
| Crocker | Head | Roberts | Ward |
| Denton | Ingalls | Robinson | Weaver |
| Dobbs (Elmore) | Johnston | Rogers | Whitcomb |
| Dobbs (Fayette) | Karl | Sellers | White (Covington) |
| Doughty | Knight | Shelton | Wood (Washington) |

—75

And the bill:

H. 92. To Amend Section 221 of Title 7 of the 1940 Code of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 22.

Yeas:

| | | | |
|-------------------|------------------|-----------|-----------|
| Mr. Speaker | Dobbs (Elmore) | Johnston | Pinson |
| Adams (Dale) | Dobbs (Fayette) | Kaul | Ramey |
| Adams (Jefferson) | Dumas | Knight | Roberts |
| Benford | Frasier | Leonard | Shelton |
| Brannan | Ganey | Lovelace | Shirley |
| Brassell | George | McClendon | Snodgrass |
| Buckner | Gibson | McGowin | Sullivan |
| Bush | Givhan | Malone | Thomas |
| Callahan | Haynes (Lowndes) | Mason | Vann |
| Cox | Head | Merrill | Ward |
| Denton | Hornsby | Nelson | |

—43

Nays:

| | | | |
|---------|----------|---------------|---------------------|
| Barnett | Gillis | Rogers | Thompson (Crenshaw) |
| Black | Hankins | Sightler | Thompson (Pike) |
| Coburn | Harris | Stone | Wallace |
| Doughty | Ingalls | Taylor (Hale) | Weaver |
| Evans | Pinkston | Thagard | White (Covington) |
| Garrett | Robinson | | |

—22

And the bill:

H. 93. To provide for the answer of interrogatories propounded under Section 477 of Title 7 of the 1940 Code of Alabama by a servant or agent of the individual to whom same are addressed

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 5.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Dumas | Lovelace | Rogers |
| Adams (Dale) | Evans | McDonald | Sellers |
| Adams (Jefferson) | Faulk | McGowin | Shelton |
| Barnett | Garrett | McIlwain | Shirley |
| Benford | George | Malone | Sightler |
| Black | Gibson | Mason | Snodgrass |
| Brassell | Givhan | Merrill | Stone |
| Broadwater | Harris | Miller | Sullivan |
| Buckner | Harrison | Mitchell | Taylor (Autauga) |
| Busby | Haynes (Franklin) | Molette | Taylor (Hale) |
| Callahan | Haynes (Lowndes) | Nelson | Thagard |
| Coburn | Head | Pinkston | Thomas |
| Cox | Howell | Pinson | Wallace |
| Crocker | Ingalls | Ramey | Weaver |
| Denton | Johnston | Roberts | White (Covington) |
| Dobbs (Fayette) | Kaul | Robinson | Wood (Washington) |

—64

Nays:

| | | | |
|----------|----------|---------------------|-----------------|
| Messrs.: | Mathison | Thompson (Crenshaw) | Thompson (Pike) |
| Gillis | Sadler | | |

—5

And the bill:

H. 13. To amend Section 240 of Title 13 of the 1940 Code of Alabama which relates to transportation expenses, offices and supplies of circuit and deputy solicitors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|---------------------|
| Mr. Speaker | Faulk | McClendon | Shelton |
| Adams (Dale) | Ganey | McDonald | Shirley |
| Adams (Jefferson) | Garrett | McGowin | Sightler |
| Benford | George | McIlwain | Snodgrass |
| Black | Gibson | Malone | Stone |
| Brassell | Gillis | Mason | Sullivan |
| Broadwater | Givhan | Meeks | Taylor (Hale) |
| Buckner | Hankins | Merrill | Thagard |
| Busby | Harris | Miller | Thomas |
| Callahan | Harrison | Mitchell | Thompson (Crenshaw) |
| Coburn | Haynes (Franklin) | Molette | Thompson (Pike) |
| Cole | Haynes (Lowndes) | Nelson | Vann |
| Cox | Head | Pinkston | Wallace |
| Crocker | Howell | Pinson | Ward |
| Denton | Ingalls | Ramey | Weaver |
| Dobbs (Elmore) | Johnston | Roberts | Whitcomb |
| Dobbs (Fayette) | Kaul | Robinson | White (Covington) |
| Doughty | Knight | Rogers | Wood (Washington) |
| Dumas | Leonard | Sadler | |
| Evans | Lovelace | Sellers | |

—78

And the bill:

H. 209. (by request): To amend Section 605 of Title 51 of the 1940 Code, which relates to licenses on business, vocations, and occupations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|------------------|
| Mr. Speaker | Dobbs (Fayette) | Johnston | Norman |
| Adams (Dale) | Doughty | Kaul | Pinkston |
| Adams (Jefferson) | Dumas | Knight | Pinson |
| Barnett | Evans | Leonard | Ramey |
| Benford | Faulk | Lovelace | Roberts |
| Black | Frasier | McClendon | Robinson |
| Brannan | Ganey | McDonald | Rogers |
| Brassell | Garrett | McGowin | Sadler |
| Broadwater | George | McIlwain | Sellers |
| Buckner | Gibson | Malone | Shelton |
| Busby | Gillis | Mason | Shirley |
| Callahan | Hankins | Mathison | Sightler |
| Coburn | Harris | Meeks | Snodgrass |
| Cole | Harrison | Merrill | Stone |
| Cox | Haynes (Franklin) | Miller | Sullivan |
| Crocker | Haynes (Lowndes) | Mitchell | Taylor (Autauga) |
| Denton | Howell | Molette | Taylor (Hale) |
| Dobbs (Elmore) | Ingalls | Nelson | Thagard |

| | | | |
|---------------------|-----------------|----------|-------------------|
| Thomas | Thompson (Pike) | Ward | White (Covington) |
| Thompson (Crenshaw) | Vann | Weaver | Wood (Washington) |
| | Wallace | Whitcomb | —82 |

And the bill:

H. 226. To make appropriation of Three Hundred Thousand Dollars (\$300,000.00), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|----------|---------------------|
| Mr. Speaker | Faulk | McIlwain | Shirley |
| Adams (Dale) | Ganey | Martin | Sightler |
| Adams (Jefferson) | Garrett | Mason | Snodgrass |
| Barnett | George | Mathison | Stone |
| Benford | Gibson | Meeks | Sullivan |
| Black | Gillis | Merrill | Taylor (Autauga) |
| Brannan | Hankins | Miller | Taylor (Hale) |
| Brassell | Harrison | Mitchell | Thagard |
| Broadwater | Haynes (Franklin) | Molette | Thomas |
| Buckner | Haynes (Lowndes) | Nelson | Thompson (Crenshaw) |
| Busby | Head | Norman | Thompson (Pike) |
| Callahan | Howell | O'Neal | Vann |
| Coburn | Ingalls | Pinkston | Wallace |
| Cole | Johnston | Pinson | Ward |
| Cox | Kaul | Ramey | Weaver |
| Crocker | Knight | Roberts | Whitcomb |
| Denton | Leonard | Robinson | White (Covington) |
| Dobbs (Elmore) | Lovelace | Rogers | White (Perry) |
| Dobbs (Fayette) | McClendon | Sadler | Wood (Washington) |
| Doughty | McDonald | Sellers | —82 |
| Evans | McGowin | Shelton | |

Nays: Mr. Malone.

—1

And the bill:

H. 71. To amend Section 38 and Section 40, Title 17, Code of Alabama 1940, which relate to lists of qualified electors, by providing that such lists, when delivered to the inspectors at each voting box or voting place shall contain only the names of such persons entitled to vote at each such box or voting place.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 5.

Yeas:

| | | | |
|-------------------|------------|----------|-----------------|
| Mr. Speaker | Brannan | Callahan | Dobbs (Elmore) |
| Adams (Dale) | Broadwater | Coburn | Dobbs (Fayette) |
| Adams (Jefferson) | Buckner | Cox | Dumas |
| Benford | Busby | Crocker | Faulk |
| Black | Bush | Denton | Frasier |

| | | | |
|-------------------|-----------|-----------|-------------------|
| Ganey | Kaul | Mitchell | Stone |
| Garrett | Knight | Molette | Sullivan |
| George | Leonard | Nelson | Taylor (Autauga) |
| Gibson | Lovelace | Norman | Taylor (Hale) |
| Gillis | McClendon | O'Neal | Thagard |
| Givhan | McDonald | Pinkston | Thomas |
| Hankins | McGowin | Pinson | Thompson (Pike) |
| Harris | McIlwain | Ramey | Vann |
| Harrison | Malone | Roberts | Wallace |
| Haynes (Franklin) | Martin | Robinson | Ward |
| Haynes (Lowndes) | Mason | Sadler | Weaver |
| Head | Mathison | Sellers | White (Covington) |
| Hornsby | Meeks | Shelton | White (Perry) |
| Howell | Merrill | Sightler | Wood (Bibb) |
| Ingalls | Miller | Snodgrass | Wood (Washington) |
| Johnston | | | —81 |

Nays:

| | | | |
|-----------|-------|----------------|----------|
| Messrs. : | Cole | Thomp- | Whitcomb |
| Brassell | Evans | son (Crenshaw) | —5 |

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Lamberth:

S. 115. To amend Sections 18 and 25, Title 32, Code of Alabama of 1940, as amended.

Also:

By Messrs. Boutwell, Henderson, Allen and Lowe:

S. 68. To repeal the Act entitled "An Act, to provide for the use, during the ensuing fiscal year, of any surplus which remains in the state treasury to the credit of the Alabama Special Educational Trust Fund at the close of each fiscal year after all appropriations have been paid in full.", approved June 23, 1945.

Also:

By Mr. Henderson:

S. 123. To amend Section 37 of Title 52 of the 1940 Code, which authorizes the State Board of Education and the several boards of trustees of State institutions where education is a part of the program of the institution to borrow money for the erection of buildings, beautification of grounds, and other purposes.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing message from the Senate, were read one time and referred to appropriate Standing Committees as follows:

- S. 115. Rules
- S. 68. Ways and Means
- S. 123. Education

RECESS

On motion of Mr. Busby the House recessed until two o'clock this afternoon.

AFTERNOON SESSION

The hour of two o'clock P.M. having arrived, the House reconvened.

REPORT OF RULES COMMITTEE

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolutions and ordered same returned to the House with a favorable report:

By Mr. Patterson:

S.J.R. 8. Relative to urging that the Congress of the United States continue and not reduce the appropriations for the United States Department of Agriculture and carry on the Agricultural Conservation Program and other programs being put on by the Agriculture Department.

And the S.J.R. 8 was concurred in and adopted.

By Mr. Pinson:

H.J.R. 16. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. There is created a special joint committee of the House of Representatives and the Senate of the Legislature of Alabama, consisting of three Representatives, to be appointed by the presiding officer of the House, and two Senators, to be appointed by the presiding officer of the Senate. Appointments to the committee shall be made within one day after the adoption of this resolution. The committee shall elect one of its members to be chairman.

2. It shall be the duty of the committee to investigate and, within thirty days from the adoption of this resolution, or as soon thereafter as practicable, to report to the Legislature on the following:

a) the practicability of promulgating and enforcing in Alabama a code of minimum building standards, applicable to State building and construction, school houses, hotels, and motion picture theatres, similar to that which is required by Act 290, approved July 7, 1945;

b) the feasibility of adopting legislation in Alabama similar to the Georgia Building Safety Law (Act 385, approved March 28, 1947).

3. The chairman of the committee shall have authority to employ and fix the compensation of technical and clerical assistants necessary for the committee's work and to compensate these assistants from funds available to the Legislature. The committee shall have power to call upon any State agency, officer, or employee for aid and advice and to invite the assistance of any other agency or person, public or private.

And the H.J.R. 16 was adopted.

And the Speaker named as Committee on the part of the House: Messrs. Coburn, Kaul and Pinson.

BILLS ON THIRD READING RESUMED

H. 127. To amend Section 414 of Title 17 of the 1940 Code of Alabama, which relates to meetings of political parties for the purpose of nominating candidates for public office and selecting delegates, representatives, and officers, by providing that such meetings shall be held the first Tuesday in May in even-numbered years.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas. 66; Nays 5.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Dumas | Lovelace | Robinson |
| Adams (Dale) | Evans | McClendon | Sadler |
| Adams (Jefferson) | Faulk | McDonald | Sellers |
| Benford | Ganey | McIlwain | Shelton |
| Brannan | Garrett | Martin | Sightler |
| Broadwater | George | Mason | Snodgrass |
| Buckner | Gibson | Meeks | Still |
| Busby | Givhan | Merrill | Stone |
| Bush | Hankins | Miller | Sullivan |
| Callahan | Harrison | Molette | Taylor (Autauga) |
| Cobb | Haynes (Lowndes) | Norman | Wallace |
| Coburn | Ingalls | O'Neal | Whitcomb |
| Crocker | Inzer | Pinkston | White (Covington) |
| Denton | Kaul | Pinson | White (Perry) |
| Dobbs (Elmore) | Knight | Ramey | Wood (Bibb) |
| Dobbs (Fayette) | Larkins | Roberts | Wood (Washington) |
| Doughty | Leonard | | |

—66

Nays: Messrs. Gillis, Harris, Haynes (Franklin), Head, and Weaver —5

And the bill: (with substitute):

H. 86. To amend Section 85 of Title 22 of the 1940 Code, which relates to the promulgation and enforcement of rules for the operation of food-handling establishments.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Health, said committee substitute being as follows:

COMMITTEE ON HEALTH SUBSTITUTION FOR H. 86

A BILL TO BE ENTITLED AN ACT

To amend Section 85 of Title 22 of the 1940 Code, which relates to the promulgation and enforcement of rules for the operation of food-handling establishments.

Be It Enacted By the Legislature of Alabama:

1. Section 85 of Title 22 of the 1940 Code of Alabama is amended to read as follows: "The state committee of public health shall adopt and promulgate regulations for the construction, maintenance, and operation of all establishments, and their immediate surroundings, in which foods or beverages intended for human consumption are made, prepared, processed, displayed for sale, or served, and for the construction, maintenance and operation of hotels, tourist camps, recreation camps, or any places where sleeping accommodations for transients, tourists, or vacationists are advertised for hire, as well as construction camps, and their surroundings. Copies of the said regulations shall be furnished to county health departments, whereupon, it shall be the duty of said county health departments to enforce such regulations within their respective jurisdictions. This section shall not restrict the power of county boards of health, or of municipal corporations, to adopt more stringent, or emergency, regulations or ordinances, respectively. County health officers are hereby authorized and empowered to institute proceedings in the circuit court or court of like jurisdiction to close any establishment in which foods or beverages intended for human consumption are made, prepared, processed displayed for sale or served in flagrant or continued violations of any of the aforesaid regulations; and such proceedings shall be brought by the circuit solicitor or county solicitor or attorney general in the name of the county health officer or state health officer. Said circuit solicitor, county solicitor or attorney general shall have full authority to institute proceedings in said courts without bond for a writ of injunction, temporary restraining order, or any other civil or equitable remedy to which they maybe entitled, to enforce the state health laws

or regulations. When an establishment is ordered closed an official notice to that effect shall be posted on the main entrance of the said establishment, and it shall be unlawful to operate such closed establishment until the closing order has been formally revoked or vacated. Provided, that proprietors of establishments so closed shall have the right of appeal. County health officers, or their delegated representatives, are hereby authorized to enter any establishment affected by this section at any time, for purpose of inspection, and are further authorized to score or grade establishments or the products of the same, and to publicly announce such scores or grades. It shall be unlawful to publish, or in any manner advertise, a score or grade which has not been officially awarded, or which has been revoked, or to hinder a health officer or his representative in the performance of his duty. In the absence of a county health department, or in event the county health officer requests assistance, or if in the discretion of the state committee of public health and the state health officer, special circumstances make it advisable to take the enforcement of the regulations authorized by this section out of the hands of any county board of health and county health officer, the state health officer is hereby authorized to enforce the said regulations."

And the substitute reported by the Standing Committee on Health was adopted.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|---------------------|
| Mr. Speaker | Garrett | Martin | Shelton |
| Adams (Dale) | George | Mason | Shirley |
| Adams (Jefferson) | Gibson | Mathison | Sightler |
| Benford | Gillis | Meeks | Snodgrass |
| Brannan | Givhan | Merrill | Still |
| Broadwater | Hankins | Miller | Stone |
| Brown | Harris | Mitchell | Sullivan |
| Buckner | Harrison | Molette | Taylor (Autauga) |
| Busby | Haynes (Franklin) | Nelson | Taylor (Hale) |
| Bush | Haynes (Lowndes) | Norman | Thagard |
| Callahan | Head | O'Neal | Thompson (Crenshaw) |
| Cobb | Hornsby | Pinkston | Thompson (Pike) |
| Coburn | Inzer | Pinson | Wallace |
| Crocker | Johnston | Ramey | Ward |
| Denton | Knight | Roberts | Weaver |
| Dobbs (Elmore) | McClendon | Robinson | Whitcomb |
| Dobbs (Fayette) | McDonald | Rogers | White (Covington) |
| Dumas | McGowin | Sadler | Wood (Bibb) |
| Evans | McIlwain | Sellers | |
| Faulk | | | |

—76

And the bill, H. 86, as amended by the substitute reported by the Standing Committee on Health, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 1.

Yeas:

| | | | |
|-------------------|------------------|----------|-------------------|
| Mr. Speaker | Faulk | McGowin | Shelton |
| Adams (Dale) | Ganey | Martin | Shirley |
| Adams (Jefferson) | Garrett | Mason | Sightler |
| Barnett | George | Mathison | Snodgrass |
| Benford | Gibson | Meeks | Still |
| Brannan | Gillis | Merrill | Stone |
| Broadwater | Givhan | Miller | Sullivan |
| Brown | Hankins | Mitchell | Taylor (Autauga) |
| Buckner | Harris | Molette | Taylor (Hale) |
| Busby | Harrison | Nelson | Thomp- |
| Bush | Haynes (Lowndes) | Norman | son (Crenshaw) |
| Callahan | Head | O'Neal | Thompson (Pike) |
| Cobb | Inzer | Pinkston | Wallace |
| Coburn | Johnston | Pinson | Ward |
| Crocker | Knight | Ramey | Weaver |
| Dobbs (Fayette) | Larkins | Roberts | Whitcomb |
| Doughty | Lovelace | Robinson | White (Covington) |
| Dumas | McClendon | Rogers | Wood (Bibb) |
| Evans | McDonald | Sellers | Wood (Washington) |

—75

Nays: Mr. Denton

—1

And the bill:

H. 181. To amend Section 496, Title 37, Code of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|----------|-------------------|
| Mr. Speaker | Faulk | McDonald | Sadler |
| Adams (Dale) | Ganey | McGowin | Sellers |
| Adams (Jefferson) | Garrett | McIlwain | Shelton |
| Barnett | George | Martin | Shirley |
| Benford | Gibson | Mason | Snodgrass |
| Brannan | Gillis | Mathison | Still |
| Broadwater | Hankins | Meeks | Taylor (Autauga) |
| Brown | Harris | Merrill | Taylor (Hale) |
| Buckner | Harrison | Miller | Thagard |
| Busby | Haynes (Lowndes) | Mitchell | Thomp- |
| Bush | Head | Molette | son (Crenshaw) |
| Callahan | Ingalls | Nelson | Thompson (Pike) |
| Cobb | Inzer | Norman | Wallace |
| Coburn | Johnston | O'Neal | Ward |
| Denton | Karl | Pinkston | Weaver |
| Dobbs (Fayette) | Knight | Roberts | Whitcomb |
| Doughty | Larkins | Robinson | White (Covington) |
| Dumas | Lovelace | Rogers | Wood (Bibb) |
| Evans | McClendon | | Wood (Washington) |

—75

And the bill:

H. 151. To amend Sections 95, 96, and 278 and to repeal Section 279 of Title 22 of the 1940 Code of Alabama.

Was taken up.

On motion of Mr. Head the motion of Mr. Brassell to postpone the bill, H. 151 to the 10th Legislative Day, was laid upon the table.

And the bill, H. 151, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 25.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Dumas | McDonald | Sellers |
| Adams (Dale) | Faulk | McGowin | Shelton |
| Adams (Jefferson) | Ganey | Malone | Still |
| Benford | Gibson | Martin | Taylor (Autauga) |
| Black | Givhan | Mason | Thagard |
| Brannan | Hankins | Meeks | Thomas |
| Broadwater | Harris | Merrill | Thomp- |
| Brown | Haynes (Franklin) | Miller | son (Crenshaw) |
| Bush | Haynes (Lowndes) | Mitchell | Wallace |
| Callahan | Head | Molette | Weaver |
| Coburn | Kaul | Nelson | White (Covington) |
| Cox | Larkins | Pinson | White (Perry) |
| Denton | Lovelace | Rogers | Wood (Bibb) |
| Dobbs (Fayette) | McClendon | Sadler | Wood (Washington) |

—55

Nays:

| | | | |
|----------|----------------|----------|-----------------|
| Messrs.: | Dobbs (Elmore) | Ingalls | Robinson |
| Brassell | Evans | Inzer | Shirley |
| Buckner | Garrett | Mathison | Sightler |
| Busby | George | O'Neal | Taylor (Hale) |
| Cobb | Gillis | Pinkston | Thompson (Pike) |
| Cole | Harrison | Ramey | Whitcomb |
| Crocker | Hornsby | | |

—25

And the bill:

H. 19. To amend Section 6 of the Act entitled "An Act, To regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment.", approved June 23, 1945.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas. 75; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|----------|---------------------|
| Mr. Speaker | Doughty | McGowin | Shelton |
| Adams (Dale) | Dumas | McIlwain | Shirley |
| Adams (Jefferson) | Evans | Malone | Sightler |
| Benford | Faulk | Martin | Snodgrass |
| Black | Ganey | Mason | Still |
| Brannan | Garrett | Mathison | Stone |
| Brassell | George | Meeks | Taylor (Autauga) |
| Broadwater | Gibson | Merrill | Taylor (Hale) |
| Brown | Hankins | Miller | Thomas |
| Buckner | Harris | Mitchell | Thompson (Crenshaw) |
| Busby | Haynes (Franklin) | Molette | Wallace |
| Bush | Haynes (Lowndes) | O'Neal | Ward |
| Callahan | Ingalls | Pinson | Weaver |
| Cole | Inzer | Ramey | Whitcomb |
| Cox | Johnston | Roberts | White (Covington) |
| Crocker | Kaul | Robinson | White (Perry) |
| Denton | Knight | Rogers | Wood (Bibb) |
| Dobbs (Elmore) | Larkins | Sadler | Wood (Washington) |
| Dobbs (Fayette) | McClendon | Sellers | |

—75

Nays: Mr. Gillis.

—1

And the bill:

H. 20. To amend Section 4 of the Act entitled "An Act, To create a Bureau of Rates of the Department of Commerce; to regulate the making and applying of rates for fire, inland marine, casualty, and any lines incidental to these various classes, and the approval or disapproval of rates or rating systems, the intent being to include the rate making of all rates, except life and health and accident, of all companies authorized to do business in the State of Alabama; and provide for the officers and employees thereof and their compensation, powers, functions, and duties; to entrust the damination of this Act to said department; and to make an appropriation for the administration of this Act.", approved June 16, 1945.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas. 69; Nays 2.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|----------|
| Mr. Speaker | Crocker | Harris | McDonald |
| Adams (Dale) | Denton | Harrison | McGowin |
| Adams (Jefferson) | Dobbs (Elmore) | Haynes (Franklin) | Malone |
| Benford | Dobbs (Fayette) | Haynes (Lowndes) | Martin |
| Brannan | Dumas | Ingalls | Mason |
| Brassell | Evans | Johnston | Mathison |
| Broadwater | Ganey | Kaul | Meeks |
| Brown | Garrett | Knight | Merrill |
| Buckner | George | Larkins | Miller |
| Bush | Gibson | Leonard | Mitchell |
| Cole | Hankins | McClendon | Molette |

| | | | |
|---------|------------------|-----------------|-------------------|
| Nelson | Shelton | Taylor (Hale) | Wallace |
| O'Neal | Shirley | Thagard | Ward |
| Pinson | Sightler | Thomas | Weaver |
| Ramey | Snodgrass | Thomp- | Whitcomb |
| Roberts | Still | son (Crenshaw) | White (Covington) |
| Rogers | Stone | Thompson (Pike) | Wood (Washington) |
| Sadler | Taylor (Autauga) | | |

—69

Nays: Messrs. Busby and Gillis.

—2

BILL POSTPONED

On motion of Mr. Stone the bill, H. 98, was postponed until the Tenth Legislative Day.

And the bill:

H. 218. To amend Section #119 of Title 5 of the 1940 Code of Alabama; so as to authorize banks in Alabama to pledge assets as security for deposits of county or municipal funds.

Was read a third time at length and passed, and ordered sent to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Evans | McClendon | Shelton |
| Adams (Dale) | Faulk | McGowin | Shirley |
| Adams (Jefferson) | Ganey | McIlwain | Sightler |
| Barnett | Garrett | Malone | Snodgrass |
| Benford | George | Martin | Stone |
| Brannan | Gibson | Mason | Taylor (Autauga) |
| Brassell | Hankins | Mathison | Taylor (Hale) |
| Broadwater | Harris | Meeks | Thagard |
| Brown | Harrison | Merrill | Thomas |
| Buckner | Haynes (Franklin) | Miller | Thompson (Pike) |
| Busby | Haynes (Lowndes) | Mitchell | Wallace |
| Bush | Head | Molette | Ward |
| Callahan | Ingalls | Nelson | Weaver |
| Cole | Inzer | Ramey | Whitcomb |
| Cox | Kaul | Roberts | White (Covington) |
| Denton | Knight | Robinson | White (Perry) |
| Dobbs (Elmore) | Larkins | Rogers | Wood (Bibb) |
| Dobbs (Fayette) | Leonard | Sadler | Wood (Washington) |
| Dumas | Lovelace | Sellers | |

—75

And the bill:

H. 97. To permit the catching of shrimp for use as bait during the closed season; to prescribe regulations under which such shrimp may be taken; to provide for the licensing of persons selling or offering for sale of such shrimp; and to provide penalties for the violation hereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Doughty | Lovlace | Shelton |
| Adams (Dale) | Dumas | McClendon | Shirley |
| Adams (Jefferson) | Evans | McDonald | Sightler |
| Benford | Faulk | McIlwain | Snodgrass |
| Black | Ganey | Malone | Still |
| Brannan | George | Martin | Stone |
| Brassell | Gibson | Mason | Taylor (Autauga) |
| Broadwater | Gillis | Mathison | Taylor (Hale) |
| Brown | Hankins | Merrill | Thagard |
| Buckner | Harris | Miller | Thomas |
| Busby | Harrison | Mitchell | Thomp- |
| Bush | Haynes (Franklin) | Molette | son (Crenshaw) |
| Callahan | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Coburn | Head | Norman | Wallace |
| Cole | Hornsby | O'Neal | Ward |
| Cox | Ingalls | Ramey | Weaver |
| Crocker | Inzer | Roberts | Whitcomb |
| Denton | Kaul | Robinson | White (Covington) |
| Dobbs (Elmore) | Knight | Sadler | Wood (Bibb) |
| Dobbs (Fayette) | Leonard | Sellers | Wood (Washington) |

—79

And the bill:

H. 102. To amend Section 161 of Title 8 of the Alabama Code of 1940.

Was taken up.

Mr. Stone offered the following substitute for the bill, H. 102:

A BILL TO BE ENTITLED "AN ACT"

To Amend Section 161 of Title 8 of the Code of Alabama of 1940.

Be It Enacted By the Legislature of Alabama:

Section 1. Section 161 of Title 8 of the Code of Alabama of 1940, shall be and is hereby amended so as to read in words and figures as follows:

"Section 161. MINIMUM SHRIMP WEIGHT REQUIREMENT.—It shall be unlawful for any person, firm, corporation or association to sell, offer for sale, or have in possession for sale for commercial purposes any shrimp where it requires more than forty with heads to weigh one pound, or where it requires more than sixty-eight headless shrimp to weigh one pound. This law shall apply to shrimp taken from the territorial waters of Alabama or brought into Alabama from waters beyond the territorial jurisdiction of Alabama. Nothing in this section shall be construed to apply to shrimp which are used solely as bait. Shrimp used solely as bait shall be controlled by regulation duly promulgated by the Director of Conservation."

Section 2. All laws and parts of laws in conflict herewith are hereby expressly repealed.

Section 3. This Act shall become a law upon its passage and approval or upon its otherwise becoming a law.

And the substitute offered by Mr. Stone for the bill, H. 102, was adopted.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Larkins | Shelton |
| Adams (Dale) | Doughty | Leonard | Shirley |
| Adams (Jefferson) | Dumas | Lovelace | Sightler |
| Barnett | Evans | McDonald | Snodgrass |
| Benford | Faulk | McIlwain | Still |
| Black | Ganey | Malone | Stone |
| Brannan | George | Martin | Taylor (Autauga) |
| Brassell | Gibson | Mason | Taylor (Hale) |
| Broadwater | Gillis | Mathison | Thomas |
| Brown | Hankins | Meeks | Thomp- |
| Buckner | Harris | Merrill | son (Crenshaw) |
| Busby | Harrison | Miller | Thompson (Pike) |
| Bush | Haynes (Franklin) | Mitchell | Wallace |
| Callahan | Haynes (Lowndes) | Nelson | Ward |
| Coburn | Head | Norman | Weaver |
| Cole | Ingalls | Ramey | Whitcomb |
| Cox | Inzer | Roberts | White (Covington) |
| Crocker | Johnston | Robinson | Wood (Bibb) |
| Denton | Kaul | Sadler | Wood (Washington) |
| Dobbs (Elmore) | Knight | Sellers | |

—78

And said bill, H. 102, as amended by the substitute offered by Mr. Stone, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Dumas | McIlwain | Sightler |
| Adams (Dale) | Ganey | Malone | Snodgrass |
| Adams (Jefferson) | George | Martin | Still |
| Barnett | Gibson | Mason | Stone |
| Benford | Gillis | Mathison | Sullivan |
| Black | Hankins | Merrill | Taylor (Autauga) |
| Brannan | Harrison | Miller | Taylor (Hale) |
| Brassell | Haynes (Franklin) | Mitchell | Thagard |
| Broadwater | Haynes (Lowndes) | Nelson | Thomas |
| Brown | Head | O'Neal | Thomp- |
| Buckner | Ingalls | Pinkston | son (Crenshaw) |
| Busby | Inzer | Pinson | Thompson (Pike) |
| Callahan | Johnston | Ramey | Wallace |
| Cole | Kaul | Roberts | Ward |
| Cox | Larkins | Robinson | Weaver |
| Crocker | Leonard | Sadler | Whitcomb |
| Denton | Lovelace | Sellers | White (Covington) |
| Dobbs (Elmore) | McClendon | Shelton | Wood (Bibb) |
| Dobbs (Fayette) | McDonald | Shirley | Wood (Washington) |

—76

And the bill:

H. 99. To make it unlawful to take or catch or attempt to catch or take Menhaden in any of the waters of this State; to provide a penalty for the violation hereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Doughty | McClendon | Shelton |
| Adams (Dale) | Dumas | McDonald | Shirley |
| Adams (Jefferson) | Evans | McIlwain | Sightler |
| Benford | Faulk | Martin | Snodgrass |
| Black | Ganey | Mason | Still |
| Brannan | Garrett | Mathison | Stone |
| Brassell | George | Meeks | Sullivan |
| Broadwater | Gillis | Merrill | Taylor (Autauga) |
| Brown | Hankins | Miller | Thagard |
| Buckner | Harrison | Mitchell | Thomas |
| Busby | Haynes (Franklin) | Molette | Thompson |
| Bush | Haynes (Lowndes) | Nelson | son (Crenshaw) |
| Callahan | Head | O'Neal | Thompson (Pike) |
| Cobb | Ingalls | Pinkston | Wallace |
| Coburn | Inzer | Pinson | Ward |
| Cole | Johnston | Ramey | Weaver |
| Cox | Kaul | Roberts | Whitcomb |
| Crocker | Knight | Robinson | White (Covington) |
| Denton | Larkins | Sadler | Wood (Bibb) |
| Dobbs (Elmore) | Leonard | Sellers | Wood (Washington) |
| Dobbs (Fayette) | Lovelace | | |

—81

And the bill:

H. 229. To provide for the appointment of a Chief Clerk by the Circuit Solicitor in all judicial circuits that now is or may hereafter be composed of only three counties, two of which such counties each now have or may hereafter have a population of more than fifty thousand (50,000) according to the last or any subsequent federal census, and said circuit having only two judges, to fix the term of office and to require said Chief Clerk, in addition to his work as Chief Clerk, to do stenographic and secretarial work and investigations for said Solicitor, to fix the compensation of said Chief Clerk, to provide that said compensation shall be paid out of the General Funds of the counties composing said judicial circuits and how the same shall be paid.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|-------------------|------------|----------|---------|
| Mr. Speaker | Brannan | Buckner | Coburn |
| Adams (Jefferson) | Brassell | Busby | Cole |
| Benford | Broadwater | Bush | Cox |
| Black | Brown | Callahan | Crocker |

| | | | |
|-------------------|-----------|-----------|---------------------|
| Denton | Inzer | Mitchell | Taylor (Autauga) |
| Dobbs (Elmore) | Johnston | Molette | Taylor (Hale) |
| Dobbs (Fayette) | Knight | O'Neal | Thagard |
| Doughty | Leonard | Pinson | Thomas |
| Faulk | Lovelace | Ramey | Thompson (Crenshaw) |
| Ganey | McClendon | Roberts | Thompson (Pike) |
| Garrett | McDonald | Sellers | Wallace |
| George | McIlwain | Shelton | Ward |
| Gillis | Malone | Shirley | Weaver |
| Givhan | Martin | Sightler | Whitcomb |
| Hankins | Mason | Snodgrass | White (Covington) |
| Haynes (Franklin) | Mathison | Still | Wood (Bibb) |
| Haynes (Lowndes) | Merrill | Stone | Wood (Washington) |
| Head | Miller | Sullivan | |
| Hornsby | | | |

—72

And the bill (with amendment):

H. 115. To amend section 247 of title 29, of the 1940 code of Alabama, pertaining to the seizure and forfeiture of conveyances and vehicles transporting prohibited liquors and beverages.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend H. B. 115 by adding to Section 1 thereof at the end of said Section the following sentence:

That the owner or operator of said vehicle has a reputation of being a seller of prohibited liquors shall be prima facie evidence that such liquors or beverages were being transported for resale.

And the amendment reported by the Standing Committee on Judiciary was adopted.

Yeas 82; Nays 1.

Yeas:

| | | | |
|-------------------|------------------|-----------|---------------------|
| Mr. Speaker | Evans | McClendon | Shelton |
| Adams (Dale) | Faulk | McDonald | Shirley |
| Adams (Jefferson) | Garrett | McIlwain | Sightler |
| Barnett | George | Malone | Still |
| Benford | Gibson | Martin | Stone |
| Black | Gillis | Mason | Sullivan |
| Brannan | Givhan | Mathison | Taylor (Autauga) |
| Brassell | Hankins | Meeks | Taylor (Hale) |
| Broadwater | Harris | Merrill | Thagard |
| Brown | Harrison | Miller | Thomas |
| Busby | Haynes (Lowndes) | Mitchell | Thompson (Crenshaw) |
| Bush | Head | Molette | Thompson (Pike) |
| Callahan | Hornsby | Nelson | Wallace |
| Cobb | Ingalls | Pinkston | Weaver |
| Coburn | Inzer | Pinson | Whitcomb |
| Cole | Johnston | Ramey | White (Covington) |
| Cox | Kaul | Roberts | White (Perry) |
| Crocker | Knight | Robinson | Wood (Bibb) |
| Dobbs (Elmore) | Larkins | Rogers | Wood (Washington) |
| Dobbs (Fayette) | Leonard | Sadler | |
| Dumas | Lovelace | Sellers | |

—82

Nays: Mr. Haynes (Franklin)

—1

And the bill, H. 115, as amended by the amendment reported by the Standing Committee on Judiciary, was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Faulk | McClendon | Sadler |
| Adams (Dale) | Garrett | McDonald | Sellers |
| Adams (Jefferson) | George | McIlwain | Shelton |
| Benford | Gibson | Malone | Shirley |
| Black | Gillis | Martin | Sightler |
| Brannan | Givhan | Mason | Still |
| Brassell | Hankins | Mathison | Stone |
| Broadwater | Harris | Meeks | Sullivan |
| Busby | Harrison | Merrill | Taylor (Autauga) |
| Bush | Haynes (Lowndes) | Miller | Taylor (Hale) |
| Callahan | Head | Mitchell | Thomas |
| Cobb | Hornsby | Molette | Thompson (Pike) |
| Coburn | Inzer | Nelson | Wallace |
| Cole | Johnston | O'Neal | Weaver |
| Cox | Kaul | Pinkston | Whitcomb |
| Crocker | Knight | Pinson | White (Covington) |
| Dobbs (Elmore) | Larkins | Ramey | White (Perry) |
| Dobbs (Fayette) | Leonard | Roberts | Wood (Bibb) |
| Dumas | Lovelace | Robinson | Wood (Washington) |
| Evans | | | |

—77

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Mr. Patterson:

S. 100. To amend Section 103 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 313, Approved June 28, 1943.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 100. Education.

BILLS ON THIRD READING RESUMED

(With amendment):

H. 138. To authorize and empower operators of passenger stations in Alabama operated by or for the use of any motor transportation company to provide separate waiting rooms, facilities, or space, or separate ticket windows, for the white and colored

racess; authorizing and empowering motor transportation companies and operators of vehicles, carrying passengers for hire in this state, whether intrastate or interstate passengers, to provide separate accomodations on each vehicle for the white and colored races, to assign or reassign each passenger or person a division, section, or seat on vehicles designated for the race to which the passenger belongs; to make it unlawful for any person willfully to refuse or fail to comply with the reasonable rules, regulations, or directives providing such separate waiting rooms or facilities, or space, or separate ticket windows; and to make it unlawful for any person willfully to refuse or fail to comply with any reasonable assignment or reassignment of seats to passengers or persons on passenger vehicles designated for the race to which such passenger or person belongs; to fix the penalty for the violation of this Act.

Was taken up.

The question was upon the adoption of the amendment of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend the Title of H. B. 138 by inserting immediately following the word "empower" the following words: "and require".

Amend Section 1. of said H. B. by inserting immediately after the words "shall be authorized" the words "and require".

On motion of Mr. Harris the amendment reported by the Standing Committee on Judiciary, was laid upon the table.

And said bill, H. 138, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

| | | | |
|-----------------|-------------------|-----------|---------------------|
| Mr. Speaker | Doughty | Lovelace | Sadler |
| Adams (Dale) | Faulk | McClendon | Sellers |
| Barnett | Ganey | McDonald | Shelton |
| Benford | Garrett | McIlwain | Shirley |
| Black | George | Malone | Sightler |
| Brannan | Gibson | Martin | Snodgrass |
| Brassell | Gillis | Mason | Still |
| Broadwater | Hankins | Mathison | Stone |
| Brown | Harris | Meeks | Taylor (Autauga) |
| Buckner | Harrison | Merrill | Taylor (Hale) |
| Busby | Haynes (Franklin) | Miller | Thagard |
| Bush | Haynes (Lowndes) | Mitchell | Thompson (Crenshaw) |
| Callahan | Head | Molette | Thompson (Pike) |
| Cobb | Hornsby | Nelson | Wallace |
| Coburn | Ingalls | Pinkston | Weaver |
| Cole | Inzer | Pinson | Whitcomb |
| Cox | Johnston | Pruitt | White (Covington) |
| Crocker | Kaul | Ramey | White (Perry) |
| Denton | Knight | Roberts | Wood (Washington) |
| Dobbs (Elmore) | Leonard | Robinson | |
| Dobbs (Fayette) | Larkins | Rogers | |

And the bill:

H. 94. To Amend Section 150 of Title 7 of the 1940 Code of Alabama

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Larkins | Robinson |
| Adams (Dale) | Doughty | Leonard | Shelton |
| Adams (Jefferson) | Dumas | Lovell | Shirley |
| Benford | Faulk | McClendon | Sightler |
| Black | Ganey | McDonald | Snodgrass |
| Brannan | George | Malone | Still |
| Brassell | Gibson | Martin | Stone |
| Broadwater | Gillis | Mason | Taylor (Autauga) |
| Brown | Hankins | Mathison | Taylor (Hale) |
| Buckner | Harris | Merrill | Thagard |
| Busby | Harrison | Miller | Thomas |
| Bush | Haynes (Franklin) | Mitchell | Thomp- |
| Callahan | Haynes (Lowndes) | Molette | son (Crenshaw) |
| Cobb | Head | Nelson | Thompson (Pike) |
| Coburn | Ingalls | Norman | Weaver |
| Cole | Inzer | Pinkston | Whitcomb |
| Cox | Johnston | Pinson | White (Covington) |
| Crocker | Kaul | Pruitt | White (Perry) |
| Denton | Knight | Roberts | Wood (Washington) |
| Dobbs (Elmore) | | | |

—76

And the bill:

H. 166. To amend Section 697 of Title 7 of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Doughty | Leonard | Robinson |
| Adams (Dale) | Dumas | Lovell | Sellers |
| Adams (Jefferson) | Evans | McClendon | Shelton |
| Barnett | Faulk | McDonald | Sightler |
| Brannan | Ganey | McGowin | Stone |
| Brassell | Garrett | McIlwain | Taylor (Autauga) |
| Broadwater | George | Malone | Taylor (Hale) |
| Brown | Gibson | Martin | Thagard |
| Buckner | Gillis | Mathison | Thomp- |
| Busby | Hankins | Meeks | son (Crenshaw) |
| Bush | Harris | Merrill | Thompson (Pike) |
| Callahan | Haynes (Lowndes) | Miller | Wallace |
| Cobb | Head | Mitchell | Ward |
| Coburn | Ingalls | Molette | Weaver |
| Cole | Inzer | Nelson | Whitcomb |
| Cox | Johnston | Pinkston | White (Covington) |
| Denton | Kaul | Pinson | White (Perry) |
| Dobbs (Elmore) | Knight | Roberts | Wood (Washington) |
| Dobbs (Fayette) | Larkins | | |

—73

And the bill:

H. 167. To amend Section 694 of Title 7 of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|----------|-------------------|
| Mr. Speaker | Ganey | McGowin | Shirley |
| Adams (Dale) | Garrett | Malone | Sightler |
| Adams (Jefferson) | George | Martin | Snodgrass |
| Brannan | Gibson | Mason | Stone |
| Broadwater | Gillis | Mathison | Taylor (Autauga) |
| Buckner | Hankins | Merrill | Taylor (Hale) |
| Busby | Harrison | Miller | Thagard |
| Bush | Haynes (Lowndes) | Mitchell | Thomp- |
| Callahan | Head | Molette | son (Crenshaw) |
| Cobb | Ingalls | Nelson | Thompson (Pike) |
| Coburn | Inzer | Pinkston | Wallace |
| Cox | Johnston | Ramey | Ward |
| Crocker | Knight | Roberts | Weaver |
| Denton | Larkins | Robinson | Whitcomb |
| Dobbs (Fayette) | Lovelace | Rogers | White (Covington) |
| Dumas | McClendon | Sellers | White (Perry) |
| Evans | McDonald | Shelton | Wood (Washington) |
| Faulk | | | |

—68

BILL INDEFINITELY POSTPONED

On motion of Mr. Roberts, the bill, H. 185, was indefinitely postponed.

ADJOURNMENT

On motion of Mr. Johnston, the House, in accordance with S.J.R. 15 heretofore adopted, adjourned until Friday, June 13, 1947, at 10 o'clock, A.M.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 13, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with Prayer by the Reverend Ray M. Jones, pastor of Burge Memorial Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | McClendon | Sadler |
| Adams (Dale) | Evans | McDanal | Sellers |
| Adams (Jefferson) | Faulk | McDonald | Shelton |
| Barnett | Frasier | McIlwain | Shirley |
| Beatty | Ganey | Malone | Sightler |
| Benford | Garrett | Martin | Snodgrass |
| Bennett | George | Mason | Still |
| Black | Gibson | Mathison | Stone |
| Brassell | Gillis | Meeks | Sullivan |
| Broadwater | Givhan | Merrill | Taylor (Autauga) |
| Brown | Harris | Miller | Taylor (Hale) |
| Buckner | Harrison | Mitchell | Thagard |
| Busby | Haynes (Franklin) | Molette | Thomas |
| Bush | Haynes (Lowndes) | Nelson | Thompson |
| Callahan | Head | Nettles | son (Crenshaw) |
| Cobb | Hornsby | Norman | Thompson (Pike) |
| Coburn | Howell | O'Neal | Tucker |
| Cole | Ingalls | Pinkston | Vann |
| Cox | Inzer | Pinson | Wallace |
| Crocker | Johnston | Pruitt | Ward |
| Davis | Kaul | Ramey | Weaver |
| Denton | Knight | Richardson | White (Covington) |
| Dobbs (Elmore) | Larkins | Roberts | White (Perry) |
| Dobbs (Fayette) | Leonard | Robinson | Wood (Bibb) |
| Doughty | Lovelace | Rogers | Wood (Washington) |
| Duffee | | | |

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the fifth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution your signature thereto is requested:

By Mr. A. L. Paterson:

Relative to: The Agricultural Conservation Program.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing message from the Senate.

BILLS RE-REFERRED

On motion of Mr. Gibson, the bills, H. 35, H. 36 and H. 38 were re-referred to the Standing Committee on Conservation.

REPORT OF STANDING COMMITTEE
ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to wit:

By Messrs. Head and Wood (Bibb):

H. 115. To amend section 247 of title 29, of the 1940 code of Alabama, pertaining to the seizure and forfeiture of conveyances and vehicles transporting prohibited liquors and beverages.

W. M. Beck,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

BILLS ON SECOND READING

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following Bill and ordered same returned to the House with a favorable report:

By Mr. Lamberth:

S. 115. To amend Sections 18 and 25, Title 32, Code of Alabama of 1940, as amended.

Mr. Gibson, Vice-Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Roberts:

H. 275. To Provide for the Survival of all Causes of Action Cognizable by a Court of Equity Including Those Upon Which a Suit Is Now Pending as well as Those Upon Which No Suit Has Been Filed.

By Mr. Roberts:

H. 276. To Provide for the Survival of all Suits Pending in a Court of Equity; the Manner of the Substitution of the Personal Representative, Heir, or Successor of a Deceased Party Thereto; and that the Order of Substitution Shall Be Made by the Register or the Judge of Said Court.

By Messrs. Leonard and Meeks:

H. 264. To define further the crime of bribery: making it a felony for any person to bribe a contestant or official in an athletic contest, or for any person connected with an athletic contest to take a bribe.

By Mr. Merrill:

H. 255. To amend Act 116, approved June 16, 1945, entitled, "To empower veterans who are minors to make valid contracts and loans pursuant to an Act of Congress, entitled the 'Servicemen's Readjustment Act of 1944'."

By Mr. Larkins:

H. 317. To amend Section 15 of Title 33 of the 1940 Code, which relates to the lien of a landlord on livestock raised on rented premises.

By Mr. Langan:

S. 63. To amend Section 27 of Title 47 of the Code of Alabama 1940, as amended by an Act approved June 22, 1943.

By Mr. Roberts:

H. 186. Relating to civil remedies and procedure; providing for examination of parties by interrogatories in civil suits to which the State is a party.

By Mr. Stone:

H. 324. To amend Section 123 of Title 7 of the 1940 Code of Alabama.

Mr. Gibson, Vice-Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

By Messrs. Lovelace, Adams (Dale), Callahan, and Mason (with amendment):

H. 177. To Amend Section 53, Title 36, of the Code of 1940

By Mr. Lovelace (with amendment):

H. 180. To Provide For the Assessment of Solicitor's Fees As A Part of the Costs of Appeals from Judgments Rendered In Municipal Courts.

Mr. Gibson, Vice-Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

By Mr. Garrett (with substitute):

H. 315. To provide that any sheriff of the State of Alabama shall in certain cases, be entitled to a sum equivalent to 10 cents per mile, to be taxed as costs, for executing a writ of arrest, or like process, issued by any court of competent jurisdiction of Alabama; and to provide for the payment of said claim.

Mr. White (Covington), Chairman of the Standing Committee on Education, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Henderson:

S. 123. To amend Section 37 of Title 52 of the 1940 Code, which authorizes the State Board of Education and the several boards of trustees of State institutions where education is a part of the program of the institution to borrow money for the erection of buildings, beautification of grounds, and other purposes.

By Messrs. White (Covington) and Miller:

H. 319. To amend Section 73 of Title 29 of the 1940 Code which relates to unlawful sites for the sale of intoxicating beverages.

By Mr. Patterson:

S. 100. To amend Section 103 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 313, approved June 28, 1943.

Mr. Haynes (Franklin), Vice-Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Mize:

S. 12. To exempt any disabled veteran of World War II who has received or who in the future may receive a motor vehicle from the Administrator of Veterans' Affairs from paying license fees and ad valorem taxes for such motor vehicle if operated only for the veteran's private use.

By Messrs. Shelton, Busby, Wallace, McGowin, Johnston, Larkins, Buckner, Brown, and Gibson:

H. 8. To repeal the Act entitled "An Act, To provide for the transfer of any surplus over and above \$1,750,000.00 in the State Treasury to the credit of the General Fund, after the payment of all appropriations now or hereafter made payable from said fund, for each of the fiscal years ending September 30, 1946, and September 30, 1947, to the Minimum Program Fund for expenditure during the fiscal year next succeeding the fiscal year in which said surplus accrues, in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund.", approved June 12, 1945.

By Messrs. Boutwell, Henderson, Allen, and Lowe:

S. 68. To repeal the Act entitled "An Act, To provide for the use, during the ensuing fiscal year, of any surplus which remains in the state treasury to the credit of the Alabama Special Educational Trust Fund at the close of each fiscal year after all appropriations have been paid in full.", approved June 23, 1945.

By Messrs. Shelton, Busby, McGowin, Johnston, Larkins, Wallace, Buckner, Brown, and Gibson:

H. 7. To repeal the Act entitled "An Act, To provide for the use, during the ensuing fiscal year, of any surplus which remains in the State Treasury to the credit of the Alabama Special Educational Trust Fund at the close of each fiscal year after all appropriations have been paid in full.", approved June 23, 1945.

By Mr. Pinkston:

H. 214. To provide equality and prevent inequality in the levy and collection of taxes applicable to or paid by the Banks doing business in the State of Alabama.

By Messrs. Busby, Johnston, Gibson, Shelton, Brown, McGowin, Larkins, Snodgrass, and Wallace:

H. 158. To repeal Section 2 of the Act entitled "An Act, To provide for the Blood Testing for Syphilis of all persons residing in Alabama, and to appropriate not to exceed \$75,000.00, annually to carry out the terms of this act.", approved July 7, 1943.

By Mr. Stone:

H. 211. To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of the said salaries by the Counties of certain Judicial Circuits.

Mr. Haynes (Franklin), Vice-Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Mr. Wallace (with amendment):

H. 3. To authorize the Clerk of the House of Representatives to appoint an Electrical Roll Call Operator and Electrician.

Mr. Haynes (Franklin), Vice-Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

By Mr. Callahan (with substitute):

H. 233. To amend Section 499, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

By Mr. Callahan (with substitute):

H. 231. To amend Section 543, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Messrs. Ramey, Martin, Brannan, White (Perry):

H. 308. To authorize and empower water works boards now or hereafter existing under the provisions of Alabama Code of 1940, Title 37, sections 394 to 402, to have and exercise the same powers, functions, and duties, rights and privileges with respect to gas plants and systems as they now have with respect to water works plants and systems; to authorize the issuance of revenue bonds to finance such gas plants and systems; to authorize municipal corporations to transfer and convey municipally owned gas plants and systems to such water works boards; and to authorize such water works board to combine any water works plant and system owned by it with a gas plant and system owned by it.

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

By Messrs. McDonald, Head, Ramey, and Martin (with amendment):

H. 168. To authorize and empower and require the County Board of Education of the several counties of the State of Alabama to pay the costs and expenses of the biennial school census of said counties.

By Messrs. McDonald, Head, Ramey, and Martin (with amendment):

H. 169. To authorize and empower and require the County Boards of Education of the several counties of the State of Alabama to purchase and procure any and all necessary items and services, to pay all of the expenses in connection with the operation of the office of the County Boards of Education, their officers and agents thereof, and to pay for the same from county school funds.

Mr. Ganey, Chairman of the Standing Committee on Health, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Dumas:

H. 271. To further amend Section 25 of Title 22 of the 1940 Code of Alabama, which said section has been heretofore amended in and by Section 5 of an Act of the Legislature approved July 9, 1943, entitled "An Act to amend Sections 19, 21, 22, 24, 25, 26, 27, 33, 34, 37, 38, 39, 40 and 42 of Title 22 of the 1940 Code of Alabama, all relating to public health". (General Acts of 1943, page 454 et sequa). The instant Act will amend said Section 25 by incorporating therein the following provision: "When a coroner or health officer has been informed that a deceased person died of an unknown or undetermined cause, or was suspected of having died of a communicable disease, or other cause important to the protection of the public health, or of poisoning, the coroner or health officer if ordered by the Probate Judge of the county is authorized to obtain or require an autopsy or internal examination of the dead body. Full authority is hereby invested in said Judge of Probate to make all necessary and reasonable orders to compel and facilitate the making of such autopsy or internal examination".

By Messrs. Rogers and Barnett:

H. 279. To amend Sections 4 and 9 of Act 211, approved July 7, 1945, which gives the State Board of Health and hospital associations authority to plan, acquire, construct, equip, maintain, and supervise hospitals, health centers, and related facilities for the

treatment of disease: redefining the duties and terms of the advisory council to the State Board of Health and prescribing qualifications of directors of hospital associations.

Mr. Ganey, Chairman of the Standing Committee on Health, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Mr. Taylor (Autauga) (with amendment):

H. 241. To provide that every person of sound mind, twenty-one years of age or over, may prescribe the disposition to be made of his body after death; making it a misdemeanor for any person, firm, or corporation to prevent the disposition specified.

Mr. Meeks, Chairman of the Standing Committee on State Administration, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Busby, Wallace, Brown, Johnston, Gibson, Shelton, Buckner, Larkins, and McGowin:

H. 77. To repeal Section 5 of the Act entitled "An Act, To provide for the examination and audit by the Division of Examiners of Public Accounts of State of Alabama offices, bureaus, boards, commissions, agencies, institutions, and departments and county offices; to require the Division to prescribe and enforce uniform accounting and reporting systems for such State offices, bureaus, institutions, boards, commissions, agencies and departments and county offices; and to appropriate such a sum as may be necessary to carry out the provisions of the act and the expenses incurred thereunder.", approved June 29, 1945.

By Messrs. Johnston, Gibson, Brown, Shelton, Busby, Buckner, and McGowin:

H. 74. To amend Section 175 of Title 55, Code of Alabama 1940.

By Messrs. Larkins, Busby, Johnston, Gibson, Brown, Shelton, Buckner, Wallace, and McGowin:

H. 80. To amend Section 157 of Title 55 of the 1940 Code of Alabama.

By Mr. Sullivan:

H. 314. To amend Sections 1, 3, 4, 5, and 12 of Act 515, approved July 9, 1945.

Mr. Thomas, Vice-Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Merrill:

H. 305. To amend Section 2 of An Act entitled An Act to provide for the election of a County Superintendent of Education for Cleburne County, Alabama, by the qualified voters of Cleburne County, Alabama, at the General Election in 1928 and every four years thereafter, to prescribe his qualifications, fix his term of office, prescribe his duties, and to fix his salary and provide the manner of payment of same. Approved September 6th, 1927.

By Mr. White (Covington):

H. 300. To amend Section 1 of Act 124, Local Acts of 1935, Page 57, "To provide the Sheriff of Covington County, Alabama, an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy and to make the same payable in equal monthly installments from the General Funds of Covington County; to repeal 1931 Local Act and all other laws in conflict herewith."

By Messrs. Leonard and Ganey:

H. 307. To fix the Ex Officio fees of the Clerk of the Circuit Court of Talladega County, Alabama at the sum of \$1800.00 per year; to provide for the manner of payment of same; and to repeal all laws or parts of laws in conflict therewith.

By Mr. Doughty:

H. 311. To regulate the jurisdiction of Justices of the Peace and Notary Publics and Ex Officio Justices of the Peace in Pickens County: their places for holding courts and their fees as such.

By Mr. Robinson:

H. 322. To repeal Act 627, approved July 10, 1940, entitled, "To prohibit the use of steel traps and similar devices in Lowndes County, Alabama, and prescribe punishment for violation of this act."

Mr. Thomas, Vice-Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. Howell and Bennett (with amendment):

H. 133. To fix the salary of the Deputy Solicitor for Calhoun County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

Mr. Garrett, Chairman of the Standing Committee on Agriculture, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Larkins and Adams (Dale):

H. 155. To provide for the manufacture or purchase and distribution and sale of anti-hog cholera serum and hog cholera virus by the Department of Agriculture and Industries: prescribing the manner of purchase and distribution and sale of such serum and virus; regulating the use thereof through licensure; appropriating to the Department of Agriculture and Industries for purposes of the Act; and providing penalties for violations of the Act.

By Mr. Thagard:

H. 310. To amend Article 2, Chapter 67, Title 14, of the Code of Alabama.

By Messrs. Thagard, McClendon, and White (Perry):

H. 316. To make provision for the creation and maintenance of a Sub-Agricultural Experiment Station for Horticultural Research in the Chilton County Horticultural Area for the purpose of finding out new scientific facts in regard to the production, processing, storage, use, and marketing of truck, fruit, and nut crops; the use of fertilizers; the adaptation and improvement of varieties of truck, fruit, and nut crops; the control of insect pests and plant diseases; and other similar horticultural problems having for their object the development of a more permanent, more profitable and diversified horticulture; to designate the counties of the State constituting the Chilton County Horticultural Area; to provide for the location of said Sub-Agricultural Experiment Station for Horticultural Research; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower County Boards of Revenue, County Commissioner, or other governing bodies having similar jurisdiction in the several counties comprising the Chilton County Horticultural Area; individuals, firms, organizations, corporations, companies, or municipalities to make donations and appropriations for the purchase of land and equipment for the said Sub-Agricultural Experiment Station for Horticultural Research; and to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.

The above foregoing bills were severally read a second time and placed on the Calendar.

BILLS RE-REFERRED

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said committee, in session, had acted on the following bill and ordered same returned to the House with a favorable report:

By Messrs. Adams (Dale), Adams (Jefferson), Black, Meeks, Calhahan, Broadwater and Wallace:

H. 165. To create a State Recreation Board which will provide on request advisory services on community recreation to municipalities, counties, unincorporated communities, and other political subdivisions and to prescribe the powers and duties of this Board.

The above and foregoing bill, H. 165, was, in accordance with House Rule No. 59, re-referred by the Speaker to the Standing Committee on Ways and Means.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Taylor (Autauga) (with notice and proof):

H. 325. To create the office of County Solicitor of Autauga County, Alabama; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; to define his qualifications; and to repeal all general and local laws in conflict herewith so far as they relate to Autauga County.

Local Legislation.

Notice and Proof H. 325:

A BILL TO BE ENTITLED AN ACT

To create the office of County Solicitor of Autauga County, Alabama, to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; to define his qualifications; and to repeal all general and local laws in conflict herewith so far as they relate to Autauga County:

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created the office of County Solicitor of Autauga County.

Section 2. That the term of office of the County Solicitor who shall be elected by the qualified electors of Autauga County, Alabama at the general election for State and County officers in the year 1948, shall be six (6) years from the first Monday after the second Tuesday in January, 1949, and every six (6) years thereafter and until his successor is elected or appointed and qualified. In the event of the vacancy caused by the resignation, removal or death of said County Solicitor or for other causes, the Governor shall fill the same by appointment for the unexpired term.

Section 3. It shall be the duty of the County Solicitor of Autauga County to represent the State of Alabama in all cases in the inferior courts of the county, in all preliminary proceeding, applications for bail and habeas corpus and other criminal proceedings in said county requiring the services of a prosecuting attorney; to aid and act for the solicitor of the Circuit Court, and in the absence of the Circuit Solicitor to perform all of his duties; also to

attend coroner's inquest and examine witnesses and select such witnesses as in his judgment should be and appear before the Grand Jury or before the courts on preliminary heraing or habeas corpus, and when called upon to do so by the Board of Revenue, or any governing body of said county, to represent the County of Autauga in all litigation in which it is engaged. The County Solicitor shall be clothed with all other powers and shall be charged with all duties now given or imposed upon the deputy solicitor of said Autauga County, Alabama, by any laws now in force or hereafter to be prescribed by law for deputy solicitors, it being the intention of this Act that said County Solicitor shall take the place of the deputy solicitor of said county and prosecute all cases in which the deputy solicitor is required to prosecute. All laws in force pertaining to the deputy solicitor of Autauga County prior to the abolishment of said office shall remain in force and apply to the County Solicitor hereby created except those in conflict with the provisions of this Act.

Section 4. It shall be the duty of the County Solicitor to furnish legal advice or opinion, oral or written, to the Board of Revenue or to any other county official, provided such legal advice or opinion is required by said court or county official in the discharge of his official duties.

Section 5. That the County Solicitor of Autauga County, Alabama, shall receive a salary of not less than Eighteen Hundred Dollars per annum and not more than Twenty four Hundred Dollars per annum, to be paid out of the general fund of said county in twelve equal installments, said salary to be fixed by the Board of Revenue of Autauga County, Alabama.

Section 6. The County Solicitor as herein provided shall have been a resident of Autauga County for at least one year next preceeding his election or appointment, a qualified elector, and at least twenty five years of age, and learned in the law, and shall reside in Autauga County during his entire term of office.

Section 7. The sections of this Act and the parts of each section are hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void, ineffective or unconstitutional, shall not affect the other sections or parts thereof, it being now declared that the other parts or other sections would have been enacted regardless of any section or part of section which might be held unconstitutional, inoperative or ineffective.

Section 8. All laws or parts of laws, both local and general, in conflict with the provisions of this Act are hereby repealed in so far as they relate to Autauga County.

Section 9. This Act shall become law immediately upon its passage and approval by the Governor, or its otherwise becoming law and the present Deputy Solicitor of the 19th Judicial Circuit or his successors in office shall hold office as County Solicitor as created and established herein until the first Monday after the Second Tuesday in January, 1949, and until his successor is elected and qualified as now required by law, or as provided in this Act, and shall perform the duties and receive the compensation as herein provided for the said County Solicitor.

THE STATE OF ALABAMA, AUTAUGA COUNTY.

Before me, Geo. M. Taylor, Jr., a Notary Public in and for said County and State, personally appeared H. M. Doster who being by me first duly sworn, deposes and says on oath that he is the owner and editor of The Prattville Progress, a newspaper published in the City of Prattville and the County of Autauga, Alabama; and that a copy of the attached advertisement of a local bill pertaining to the establishment of the office of County Solicitor of Autauga County, Alabama, appeared in said newspaper once a week for four consecutive weeks on the following date: April 24th, May 1st, 8th and 15th, 1947, which newspaper, The Prattville Progress, has a general circulation in the County in which it is published; and has been mailed under the second class mailing privileges of the United States Post Office Department

from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

H. M. Doster.

Sworn to and subscribed before me, this the 10th day of June, 1947.
Geo. M. Taylor, Jr.,

Notary Public, Autauga County, Alabama.

By Mr. Taylor (Autauga) (with notice and proof):

H. 326. To Amend Section 5 of an Act Entitled "An Act To Establish a Board of Revenue for Autauga County and to define the Powers and Duties of said Board of Revenue" Approved February 27, 1879.

Local Legislation.

Notice and Proof H. 326:

A BILL
TO BE ENTITLED
AN ACT

To Amend Section 5 of an Act Entitled "An Act to Establish a Board of Revenue for Autauga County and to define the Powers and Duties of said Board of Revenue" Approved February 27, 1879.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 5 of an Act entitled "An Act to Establish a Board of Revenue for Autauga County and to Define the Powers and Duties of said Board of Revenue." Approved February 27, 1879, be and the same is hereby amended to read as follows: Section 5. That the Judge of Probate and each of the said Commissioners shall receive Five Dollars per day for each day they are actively engaged in the performance of their duties as members of the Board hereby established.

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

Section 3. That this Act shall become effective upon its passage and approval by the Governor or its otherwise becoming law.

THE STATE OF ALABAMA,
AUTAUGA COUNTY.

Before me, Geo. M. Taylor, Jr., a Notary Public in and for said County and State, personally appeared H. M. Doster who being by me first duly sworn, deposes and says on oath that he is the owner and editor of The Prattville Progress, a newspaper published in the City of Prattville and the County of Autauga, Alabama; and that a copy of the attached advertisement of a local bill to amend Section 5 of an Act Entitled "An Act to Establish a Board of Revenue for Autauga County and to Define the Powers and Duties of said Board of Revenue" Approved February 27, 1879, appeared in said newspaper once a week for four consecutive weeks on the following dates: April 24th, May 1st, 8th, and 15th, 1947, which newspaper, The Prattville Progress, has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United State Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

H. M. Doster.

Sworn to and subscribed before me, this the 10th day of June, 1947.

Geo. M. Taylor, Jr.,

Notary Public, Autauga County, Alabama.

By Mr. Taylor (Autauga) (with notice and proof):

H. 327. To authorize and empower the Judge of Probate of Autauga County, Alabama, to appoint a Chief Clerk, and to fix the salary and to provide the method of payment of salary of said Chief Clerk.

Local Legislation.

Notice and Proof H. 327:

A BILL
TO BE ENTITLED
AN ACT

To authorize and empower the Judge of Probate of Autauga County, Alabama, to appoint a Chief Clerk, and to fix the salary and to provide the method of payment of salary of said Chief Clerk.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Judge of Probate of Autauga County is hereby authorized and empowered to appoint a Chief Clerk, to hold office at the pleasure of the Judge of Probate of Autauga County, Alabama.

Section 2. That said Chief Clerk, so appointed, shall be paid a salary not less than One Hundred Dollars per month, and not more than One Hundred Fifty Dollars per month, payable monthly. Said salary to be fixed by the Board of Revenue of Autauga County, Alabama.

Section 3. That the Board of Revenue of Autauga County, Alabama, is hereby authorized and required to draw warrants in favor of said Chief Clerk, payable out of the General Funds of said County, upon proper claim being made.

Section 4. That said Chief Clerk be required to make bond payable and conditioned as required by law, in the sum of Twenty Five Hundred Dollars.

Section 5. Should any section, clause or provision of this act be declared unconstitutional, the same shall not affect the remaining sections, clauses or provisions of this Act.

Section 6. That this act shall take effect immediately upon its passage and approval by the Governor or otherwise becoming law.

THE STATE OF ALABAMA.
AUTAUGA COUNTY.

Before me, Geo. M. Taylor, Jr., a Notary Public in and for said County and State, personally appeared H. M. Doster who being by me first duly sworn, deposes and says on oath that he is the owner and editor of The Prattville Progress, a newspaper published in the City of Prattville and the County of Autauga, Alabama; and that a copy of the attached advertisement of a local bill pertaining to the authorization and empowering of the Judge of Probate of Autauga County, Alabama, to appoint a Chief Clerk of Autauga County, Alabama, appeared in said newspaper once a week for four consecutive weeks on the following dated: April 24th, May 1st, 8th and 15th, 1947, which newspaper, The Prattville Progress, has a general circulation in the County in which it is published; and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

H. M. Doster.

Sworn to and subscribed before me, this the 10th day of June, 1947.

Geo. M. Taylor, Jr.,

Notary Public, Autauga County, Alabama.

By Mr. Taylor (Autauga) (with notice and proof):

H. 328. To abolish the office of deputy solicitor of Autauga County, Alabama, to fix the time when such office shall be abolished, and to provide that such bill shall not affect any general, special, or local laws except as herein provided for.

Local Legislation.

Notice and Proof H. 328:

A BILL
TO BE ENTITLED
AN ACT

To abolish the office of deputy solicitor of Autauga County, Alabama, to fix the time when such office shall be abolished, and to provide that such bill shall not affect any general, special, or local laws except as herein provided for.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the office of deputy solicitor of Autauga County, Alabama, be and the same is hereby abolished, effective on the first Monday after the second Tuesday in January, 1949.

Section 2. That all laws, general, special, or local, in conflict with the provisions of this Act, and only such laws, are hereby repealed.

Section 3. This Act shall go into effect upon its approval by the Governor, or otherwise becoming a law.

THE STATE OF ALABAMA,
AUTAUGA COUNTY.

Before me, Geo. M. Taylor, Jr., a Notary Public in and for said County and State, personally appeared H. M. Doster who being by me first duly sworn, deposes and says on oath that he is the owner and editor of The Prattville Progress, a newspaper published in the City of Prattville and the County of Autauga, Alabama; and that a copy of the attached advertisement of a local bill pertaining to the abolishment of the office of deputy solicitor of Autauga County, Alabama, appeared in said newspaper once a week for four consecutive weeks on the following dates: April 24th, May 1st, 8th, and 15th, 1947, which newspaper, The Prattville Progress has a general circulation in the County in which it is published; and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

H. M. Doster.

Sworn to and subscribed before me, this the 10th day of June, 1947.

Geo. M. Taylor, Jr.,

Notary Public, Autauga County, Alabama.

By Mr. Taylor (Autauga) (with notice and proof):

H. 329. To authorize and empower the Board of Revenue of Autauga County, Alabama, to expend County Funds not exceeding \$3000.00 per annum for purposes not otherwise provided by law.

Local Legislation.

Notice and Proof H. 329:

A BILL
TO BE ENTITLED
AN ACT

To authorize and empower the Board of Revenue of Autauga County, Alabama, to expend County Funds not exceeding \$3,000.00 per annum for purposes not otherwise provided by law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Board of Revenue of Autauga County, Alabama, be and it is authorized and empowered to appropriate out of any monies in the County Treasury, not otherwise appropriated, and to expend not exceeding the sum of \$3000.000 per annum for any purpose, not otherwise provided for by law, that in their judgment are worthy and for the best interest of the County, the fund hereby authorized to be known as the "Contingent Fund." Provided, however, the expenditures herein provided shall first be authorized by the governing body of the County in a Resolution spread upon its minutes.

Section 2. That, under the provisions of Section One not more than \$3,000.00 shall be appropriated and expended in any one year and should any sum or sums remain unexpended in said fund at the end of the year only so much shall be appropriated for the next succeeding year as will together with the sum so remaining unexpended bring the Contingent Fund up to the sum of \$3,000.00.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

THE STATE OF ALABAMA,
AUTAUGA COUNTY.

Before me, Geo. M. Taylor, Jr., a Notary Public in and for said County and State, personally appeared H. M. Doster who being by me first duly sworn, deposes and says on oath that he is the owner and editor of The Prattville Progress, a newspaper published in the City of Prattville and the County of Autauga, Alabama; and that a copy of the attached advertisement of a local bill pertaining to the establishment of a "Contingent Fund" for the Board of Revenue of Autauga County, Alabama, appeared in said newspaper once a week for four consecutive weeks on the following dates: April 24th, May 1st, 8th, and 15th, 1947, which newspaper, The Prattville Progress, has a general circulation in the County in which it is published; and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

H. M. Doster.

Sworn to and subscribed before me, this the 10th day of June, 1947.

Geo. M. Taylor, Jr.,

Notary Public, Autauga County, Alabama.

By Messrs. Thomas, Wallace:

H. 330. To authorize the county governing body of any county having a population of not less than 32,000 and not more than 42,000 inhabitants and two courthouses to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

Local Legislation.

By Mr. Mitchell (with notice and proof):

H. 331. To amend Sections 1 and 4 of Act 250, House Bill 295, which became law on August 30, 1939, under Section 125 of the

Constitution and which relate to the creation of a Board of Revenue in and for Cherokee County, Alabama: providing for the nomination and election of members of the Board of Revenue by districts.

Local Legislation.

Notice and Proof H. 331:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1 and 4 of Act 250, House Bill 295, which became law on August 30, 1939, under Section 125 of the Constitution and which relate to the creation of a Board of Revenue in and for Cherokee County, Alabama: providing for the nomination and election of members of the Board of Revenue by districts.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Sections 1 and 4 of Act 250, House Bill 295, which became law on August 30, 1939, under Section 125 of the Constitution and which relate to the creation of a Board of Revenue in and for Cherokee County, Alabama, are amended to read:

1. There is created a Board of Revenue in and for Cherokee County, Alabama, which shall consist of four members, one to be nominated and elected by the qualified electors of each district established by this Act. Each member of the Board of Revenue must be an elector and resident of the district from which he is elected."

4. Before the general election in November, 1948, and every four years thereafter, the electors of District One and District Three each shall nominate, by caucus, mass meeting, convention, other assembly, or primary election, candidates for member of the Board of Revenue from the district. At the general election, the electors of District One and District Three each shall elect one member of the Board of Revenue. Before the general election in November, 1950, and every four years thereafter, the electors of District Two and District Four each shall nominate, by caucus, mass meeting, convention, other assembly, or primary election, candidates for member of the Board of Revenue from the district.

At the general election, the electors of District Two and District Four each shall elect one member of the Board of Revenue. Each member of the Board of Revenue shall hold office for four years and until his successor is elected and qualified. The present members of the Board of Revenue representing District One, District Two, District Three, and District Four shall serve until their successors are elected and qualified as provided by this Section."

5. This Act shall take effect upon its passage and on final approval by the Governor of the State of Alabama.

I. Monroe Mitchell
Representative Cherokee County.

7-4tc

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, J. L. McCarley, a Notary Public in and for said county in said state, personally appeared Joseph M. Shaw, Sr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee

County, Alabama; that the attached is a true, correct and complete copy of A Bill to Be Entitled an Act as published in said newspaper once a week for four consecutive weeks, beginning on the 30 day of April, 1947 that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

Joseph M. Shaw, Sr.

Sworn to and subscribed before me this 10 day of June, 1947.

J. L. McCarley,
Notary Public.

(SEAL)

By Mr. Mitchell (with notice and proof):

H. 332. To abolish the Law and Equity Court of Cherokee County, Alabama, making provision for the transfer of pending cases and causes.

Local Legislation.

Notice and Proof H. 332:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Law and Equity Court of Cherokee County, Alabama, making provision for the transfer of pending cases and causes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1. The Law and Equity Court of Cherokee County, Alabama, is abolished.

2. Every case and every cause pending in the Law and Equity Court of Cherokee County, together with the records, documents, and papers pertaining thereto, shall be transferred to the courts which have jurisdiction under the general laws of Alabama of the subject matter involved in the case or cause. The Clerk or Register of the Circuit Court of Cherokee County, in his capacity as Clerk or Register of the Law and Equity Court of Cherokee County, immediately after this Act takes effect, shall certify each case or cause, together with the records, documents, and papers pertaining thereto, to the proper court, it shall not be necessary, however, for the clerk or register to certify cases or causes transferred to the circuit court.

3. Each such case or cause shall be docketed and proceed in the court to which it is transferred, and all costs accrued in the Law and Equity Court of Cherokee County shall be charged and collected in the court to which the case or cause is transferred.

4. This Act shall take effect upon its passage and on final approval by the Governor of the State of Alabama.

7-4tc

J. Monroe Mitchell
Representative Cherokee County

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, J. L. McCarley, a Notary Public in and for said county in said state, personally appeared Joseph M. Shaw, Sr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee

County, Alabama; that the attached is a true, correct and complete copy of A Bill to Be Entitled an Act as published in said newspaper once a week for four consecutive weeks, beginning on the 30 day of April, 1947 that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

Joseph M. Shaw, Sr.

Sworn to and subscribed before me this 10 day of June, 1947.

J. L. McCarley,

(SEAL)

Notary Public.

By Mr. Mitchell (with notice and proof):

H. 333. To increase the salary of the Judge of Probate of Cherokee County, Alabama, because of extra duties imposed upon him by abolishment of the Law and Equity Court of Cherokee County.

Local Legislation.

Notice and Proof H. 333:

A BILL
TO BE ENTITLED
AN ACT

To increase the salary of the Judge of Probate of Cherokee County, Alabama, because of extra duties imposed upon him by abolishment of the Law and Equity Court of Cherokee County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the extra duties imposed on him incidental to the abolishment of the Law and Equity Court of Cherokee County, Alabama, the Judge of Probate of Cherokee County shall be paid fifty dollars (\$50) monthly in addition to all other compensation now provided by law.

Section 2. This Act shall take effect from the abolishment of the Law and Equity Court of Cherokee County.

Representative Cherokee County
J. Monroe Mitchell

9-4tc

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, J. L. McCarley, a Notary Public in and for said county in said state, personally appeared Joseph M. Shaw, Sr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of A Bill to Be Entitled an Act as published in said newspaper once a week for four consecutive weeks, beginning on the 14 day of May, 1947 that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United States Post

Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

Joseph M. Shaw, Sr.

Sworn to and subscribed before me this 10 day of June, 1947.

J. L. McCarley,
Notary Public.

(SEAL)

By Mr. Mitchell (with notice and proof):

H. 334. To amend Section 2 of Act 162, approved June 17, 1943, which relates to salaries and allowances for certain officials and employees of Cherokee County.

Local Legislation.

Notice and Proof H. 334:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act 162, approved June 17, 1943, which relates to salaries and allowances for certain officials and employees of Cherokee County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act 162, approved June 17, 1943, which relates to salaries and allowances for certain officials and employees of Cherokee County, is amended to read: "Each of the officers named in Section 1 shall continue to collect all legal charges, fees, costs, compensations, and allowances authorized to be collected by them and deposit the same in the county treasury on the first Monday of each month thereafter. The county governing body is authorized and required to provide sufficient clerks, deputies, and assistant to the judge of probate of his choice, who shall serve at his pleasure. The salary of each employee shall be fixed by the judge of probate, but the combined salaries of all employees shall not exceed eighteen hundred dollars (\$1800) per annum. The salary of each employee in the probate office shall be paid out of the general fund of the county in the same manner as salaries of other county employees are paid."

Section 2. This Act shall take effect upon the abolishment of the Law and Equity Court of Cherokee County.

J. Monroe Mitchell
Representative Cherokee County
9-4tc

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, J. L. McCarley, a Notary Public in and for said county in said state, personally appeared Joseph M. Shaw, Sr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of A Bill to Be Entitled an Act as published in said newspaper once a week for four consecutive weeks, beginning on the 14 day of May, 1947 that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United States Post

Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

Joseph M. Shaw, Sr.
Sworn to and subscribed before me this 10 day of June, 1947.

(SEAL)

J. L. McCarley,
Notary Public.

By Messrs. Howell and Bennett:

H. 335. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Local Government.

By Mr. Brassell:

H. 336. To amend Sections 753 and 784 of Title 51 of the 1940 Code of Alabama, which relate to the sales tax.

Ways and Means.

By Mr. Brassell:

H. 337. To amend Section 788 of Title 51 of the 1940 Code of Alabama, which relate to the use tax.

Ways and Means.

By Mr. Miller:

H. 338. To validate marriages of persons married subsequent to a divorce decree not prohibiting the person remarrying even though the divorce decree did not specifically confer on the person the right to remarry.

Judiciary.

By Messrs. Martin and Beck:

H. 339. To further protect and preserve our form of government, to declare certain acts relating to the overthrow or change of our form of government by force or by unlawful process to be unlawful, and to deny rights or privileges to certain organizations.

Judiciary.

By Messrs. Mathison and Knight (with notice and proof):

H. 340. To re-enact Act 123, approved June 12, 1935, entitled, "An Act To Provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines there-of; by showing the beats composing such Commissioners Districts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors; to require said Commissioners to give bond and to further regulate and prescribe the powers.

authority and duties of said Commissioners Court and to fix penalties for the violation of this Act."

Local Legislation.

Notice and Proof H. 340:

A BILL
TO BE ENTITLED
AN ACT

To re-enact Act 123, approved June 12, 1935, entitled, "An Act To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines thereof; by showing the beats composing such Commissioners Districts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors; to require said Commissioners to give bond and to further regulate and prescribe the powers, authority and duties of said Commissioners Court and to fix penalties for the violation of this Act."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
HENRY COUNTY.

Before me, Carl S. Farmer, a Notary Public in and for said County, in said State, personally appeared J. Edward Dodd, who is known to me, and who by me being duly sworn, deposes and says that he is the publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on, to-wit: May 15, May 22, May 29, June 5.

The Abbeville Herald

By J. Edward Dodd.

Sworn to and subscribed before me, this 9 day of June, 1947.

Carl S. Farmer,

(SEAL)

Notary Public.

By Messrs. Mathison and Knight (with notice and proof):

H. 341. To abolish the office of County Road Supervisor for Henry County, Alabama, as created by Act No. 205, approved November 4, 1932, and to provide that the functions and duties of such officer shall be performed by the county engineer.

Local Legislation.

Notice and Proof H. 341:

A BILL
TO BE ENTITLED
AN ACT

To abolish the office of County Road Supervisor for Henry County, Alabama, as created by Act No. 205, approved November 4, 1932, and to provide that the functions and duties of such officer shall be performed by the county engineer.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
HENRY COUNTY.

Before me, Carl S. Farmer, a Notary Public in and for said County, in said State, personally appeared J. Edward Dobb, who is known to me, and who by me being duly sworn, deposes and says that he is the publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama: that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on, to-wit: May 18, May 22, May 29, June 5.

The Abbeville Herald

By J. Edward Dodd.

Sworn to and subscribed before me, this 9 day of June, 1947.

Carl S. Farmer.

(SEAL)

Notary Public.

By Mr. Malone:

H. 342. To amend Section 107, Title 17, Code of Alabama 1940, by designating the election officials who are authorized to render assistance to persons physically or otherwise incapacitated.

Constitution and Elections.

By Mr. Malone:

H. 343. To prohibit the issuance or distribution of any paper, instrument, or document which appears to be a check, draft, or bill of exchange, but which is in fact not a bona fide check, draft, or bill of exchange.

Business and Labor.

By Mr. Richardson (with notice and proof):

H. 344. To allow the Sheriff of Lawrence County, Alabama an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments.

Local Legislation.

Notice and Proof H. 344:

NOTICE

is hereby given that a bill will be introduced in the Legislature of Alabama during the 1947 Session thereof, which bill is in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To allow the Sheriff of Lawrence County, Alabama an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That the Sheriff of Lawrence County, Alabama, is hereby allowed an additional deputy to the deputy or deputies now provided by law, which said deputy shall receive a salary of not less than Twelve Hundred Dollars per annum, nor more than Eighteen Hundred Dollars per annum, to be fixed by the Court of County Revenues or Board of Revenue or other like governing body of said County, and payable in twelve equal monthly installments out of the General Funds of said County; that said deputy sheriff shall be appointed by the Sheriff of Lawrence County, Alabama, and shall be eligible to perform the duties of deputy Sheriff anywhere in said County.

SECTION 2. That on the first day of each month a statement of the name and amount due said Deputy Sheriff shall be furnished to the Court of County Revenues or Board of Revenue or other like governing body of said County, by the Sheriff and it shall thereupon be the duty of said Court to order a warrant drawn upon the General Funds of said County payable to said deputy sheriff for the amount of one months salary as hereinabove provided.

SECTION 3. That all laws and parts of laws in conflict with this Act are hereby expressly repealed, and this act shall be in full force and effect from the date of its approval by the Governor or otherwise becoming a law.

STATE OF ALABAMA
LAWRENCE COUNTY

Before me, Mrs. Mollie Walker a, Notary Public, in and for said State and County, personally appeared Arthur Slaton, who being by me first duly sworn, deposes and says on oath that he is the Owner, Editor and Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the above and foregoing notice was published once a week for four consecutive weeks in the Moulton Advertiser, the following dates, to-wit: May 15, May 22, May 29 and June 5, 1947. without cost to the State of Alabama.

Arthur Slaton

Owner, Editor and Publisher of the Moulton Advertiser.

Sworn to and subscribed before me, on this the 12 day of June, 1947.

Mrs. Mollie Walker,

Notary Public, Lawrence County, Ala.

By Mr. Richardson (with notice and proof):

H. 345. To allow the Members of the Board of Education of Lawrence County, Alabama, pay for not more than sixteen days in any one year, and to fix their salary and expenses, payable from the General School Funds of Lawrence County, Alabama.

Local Legislation.

Notice and Proof H. 345:

NOTICE

is hereby given that a bill will be introduced in the Legislature of Alabama the 1947 Session thereof, which bill is in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To allow the Members of the Board of Education of Lawrence County, Alabama, pay for not more than sixteen days in any one year, and to fix their salary and expenses, payable from the General School Funds of Lawrence County, Alabama

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That the members of the County Board of Education of Lawrence County, Alabama, shall receive from the public school funds of said County Ten Dollars per day and their actual travelling expenses at the rate of five cents per mile to and from their place of residence incurred in attending meetings of the Board and transacting business of the Board. The members of the County Board of Education shall not be allowed pay for attendance and travel for more than sixteen days in any one year, which shall be paid in like manner as provided for the compensation of teachers.

SECTION 2. That all laws and parts of laws in conflict with this Act are hereby expressly repealed and this Act shall be in full force and effect from the date of its approval by the Governor or otherwise becoming a law.

STATE OF ALABAMA
LAWRENCE COUNTY

Before me, Mrs. Mollie Walker a, Notary Public in and for said State and County, personally appeared Arthur Slaton, who being by me first duly sworn, deposes and says on oath that he is the Owner, Editor and Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama that the above and foregoing notice was published once a week for four consecutive weeks in the Moulton Advertiser on the following dates: to-wit: May 15, May 22, May 29 and June 5, 1947. Without cost to the State of Alabama.

Arthur Slaton

Owner, Editor and Publisher of the Moulton Advertiser.

Sworn and subscribed to before me, on this the 12 day of June, 1947.

Mrs. Mollie Walker,

Notary Public, Lawrence County, Ala.

By Mr. Richardson (with notice and proof):

H. 346. To allow the Sheriff of Lawrence County, Alabama, the sum of \$50.00 per month for the maintenance, upkeep, operation and repair of an automobile to be used in the performance of his official duties and to make the same payable out of the General Funds of Lawrence County in equal monthly installments.

Local Legislation.

Notice and Proof H. 346:

NOTICE

is hereby given that a bill will be introduced in the Legislature of Alabama the 1947 Session thereof, which bill is in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To allow the Sheriff of Lawrence County, Alabama, the sum of \$50.00 per month for the maintenance, upkeep, operation and repair of an automobile to be used in the performance of his official duties and to make the same payable out of the General Funds of Lawrence County in equal monthly installments.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That the Court of County Revenues or Board of Revenue or other like governing body of Lawrence County, Alabama, is hereby authorized, required and directed to pay to the Sheriff of Lawrence County, Alabama, the sum of Fifty Dollars per month to be used for the maintenance, upkeep, operation and repair of an automobile used in the performance of his official duties as sheriff, that said sum of money shall be paid on the first day of each month, upon the filing of a written statement or requisition by the Sheriff with said Court, and it shall thereupon be the duty of said Court to order a warrant drawn upon the General Funds of said County payable to said Sheriff for the amount of one months allowance as herein provided.

SECTION 2. That all laws or parts of laws in conflict with this Act are hereby repealed, and this Act shall be in full force and effect from the date of its approval by the Governor or otherwise become a law.

STATE OF ALABAMA
LAWRENCE COUNTY

Before me, Mrs. Mollie Walker a, Notary Public in and for said State and County, personally appeared Arthur Slaton, who being by me first duly sworn, deposes and says that he is the Owner, Editor and Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama that the above and foregoing notice was published once a week for four consecutive weeks in the Moulton Advertiser on the following dates: to-wit: May 15, May 22, May 29 and June 5, 1947. and without cost to the State of Alabama.

Arthur Slaton

Owner, Editor and Publisher of the Moulton Advertiser.

Sworn to and subscribed before me, on this the 12 day of June, 1947.

Mrs. Mollie Walker,

Notary Public, Lawrence County, Ala.

By Messrs. Meeks, Gibson, Miller, Sullivan:

H. 347. To amend Section 15 of Title 51 of the 1940 Code.

Ways and Means.

By Mr. Meeks:

H. 348. To amend Section 78 of Title 5 of the 1940 Code of Alabama.

Business and Labor.

By Messrs. Meeks, Beatty, Dumas, Adams (Jefferson), Kaul, Gibson, Sadler:

H. 349. To amend section 84, Title 51, Code of Alabama 1940; to provide for the claiming of homestead exemptions upon forms

required by the tax assessor; to make it the duty of the tax assessor to prepare and have furnished such forms; to prove that a person who has once made claim of such exemption shall not be required thereafter to repeat such claim so long as the property remains exempt; to require the heir, grantee, assignee, or successor of a person who previously made a claim of such exemption, to make a claim of exemption in the name of such heir, grantee, assignee, or successor in order to effectuate an exemption thereof; to require the taxpayer to notify the tax assessor when property which has previously been claimed and allowed as exempt is no longer exempt, and to require the tax assessor thereupon to list such property for taxation; and to authorize the assessment for state purposes with penalty as an escape for a period not exceeding five years of any property upon which the ad valorem tax for state purposes has not been paid; to provide for the severability of the provisions of this act in the event that any provision is held unconstitutional or invalid; and to provide for the effective date of this act.

Local Legislation.

By Mr. Benford:

H. 350. To prevent interruption or suspensions in the operation of certain public utilities because of or as a result of labor disputes, and to that end to declare it to be the public policy of the State that the functioning and operation of such utilities is clothed with a public interest and is essential to the health, safety and welfare of the citizens of Alabama; to prohibit lockouts, strikes and work stoppages in such public utilities except under prescribed conditions; to authorize the Public Service Commission to take possession of and operate on behalf of the State public utilities threatened with lockouts, strikes or work stoppages, and to prescribe the terms and conditions of such taking possession of and operation, and the power, authority and duty of the Commission with respect thereto; to provide how any such utility may be returned to private management and control; to declare certain acts unlawful; and to impose penalties; and to make an appropriation for the purposes of the Act.

Business and Labor.

By Mr. Benford:

H. 351. To provide that all persons who now, or who shall hereafter, hold the office of President of the Commission of any city or municipality within the State of Alabama shall also have and hold the honorary title of "Mayor" of such city or municipality.

Local Government.

By Messrs. Adams (Jefferson), Beatty, Dumas, Gibson, Kaul, Meeks, Sadler (with notice and proof):

H. 352. To amend Title 62, Section 618, of the Code of Alabama, 1940.

Local Legislation.

Notice and Proof H. 352:

LEGAL NOTICE

Notice is hereby given that an application will be made to the Legislature of Alabama during its 1947 Regular Session for the passage of the following Bill:

A BILL TO BE ENTITLED AN ACT

To amend Title 62, Section 618, of the Code of Alabama, 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Title 62, Section 618, of the Code of Alabama, 1940, be amended so as to read as follows: 618—USE, OPERATION, MAINTENANCE OF, AND ALLOWANCE FOR PASSENGER AUTOMOBILES BY CITIES.—When the word “automobile” is used herein the same shall mean a passenger automobile. No person who is a member of the governing board or body by whatever name it may be called of a city shall be provided at the expense of such city with a passenger automobile for either the public, private, or official use of such person. It shall be unlawful for such person to buy gasoline or other motor fuel or motor oil or automotive accessories, including tires, from such city. It shall be unlawful for any member of such governing body to buy, or receive as a gift or otherwise, from such city, either directly or indirectly, any gasoline, oil, grease, automobile, or other article or commodity used or usable in connection with automobiles, owned or controlled by such city, or to use the same except in the performance of his official duty, or for any person connected with such city to vote for, or participate in, any such sale or disposition to such member. It shall be lawful, however, and the governing body of the city shall have authority by resolution to so authorize and approve a monetary allowance not to exceed the sum of fifty dollars monthly to be made to any of the members of such governing body for and on account of the use of an automobile owned or controlled by a member of such governing body, in the event such automobile is used by such member of such governing body partially or entirely in connection with the performance of his official duties as a member of such governing body. The governing body of each such city is hereby charged with the duty of causing the outward surface of each passenger automobile owned or controlled by such city, except those devoted exclusively to the use of the fire or police departments, to be maintained, at all times while so owned or controlled, a bright red or crimson color, and also with the further duty of causing to be maintained upon the outer surface of each such automobile, in a conspicuous place and of different color, the unobscured name of such city in plain letters and figures at least four inches high, and it shall be unlawful for any person to drive or operate any such automobile while any of the aforesaid duties remain unfulfilled and unperformed. It shall also be unlawful for any person to drive or operate any such automobile, except one devoted ex-

clusively to the use of the fire or police department, during any time when his name is not conspicuously displayed on the outside of each said automobile in legible letters at least two inches high. When an automobile is designated or assigned or the custody thereof delivered to a given person or persons for use in and about the city's business for a period longer than one calendar week, such assignment must be accomplished by formal resolution of the governing body of the city which shall appear on its minutes and no assignment shall be valid for more than one year from the date made. Any officer, agent, servant or employee of any such city, who for his own private use or purpose, or for the use or purpose of any person, firm, or corporation other than such city, uses or authorizes any other person to use any automobile owned or controlled in whole or in part by such city, or any gasoline or other motor fuel, any motor oil, any tires, accessories, or automotive equipment belonging to such city in whole or in part, shall be guilty of a misdemeanor. Any passenger automobile owned by such city, except those devoted exclusively to the use of the police and fire departments, shall be placed in the city's garage or barn at the close of each day's service, and there remain until removed therefrom for further use on the next business day. Such automobile shall also remain in such barn or garage during Sundays or holidays and during any other period when not in use. It is provided, however, that in the event an officer or employee of the city to whom an automobile has been assigned, shall make and file an affidavit with the city's governing body that it is necessary in the performance of his duties for the city for him to keep or remove said car out of said garage or barn during all or part of the time designated for said car to be kept in said garage or barn, and if such officer or employee request the city's governing body to authorize him so to do, the governing body of the city may, if it deems the request in the best interests of the city, by resolution so authorize and approve, but such approval shall not be effective for more than twelve months from the date given. The possession of an automobile owned or controlled by such city contrary to the provisions hereof is hereby declared to be a misdemeanor. Except as provided in this section it shall be unlawful for any officer, agent or employee of such city, or of any agency or instrumentality of such city, to store or garage upon his residence premises, or upon premises controlled by him, or at any place other than a central garage or barn of such city, any passenger automobile owned or controlled by such city, at any time when such automobile is not in actual use upon the business of such city. It shall be unlawful for any person or persons to use or operate, or permit the use or operation of, any automobile owned or controlled by any such city for any purpose other than the public business of such city. The doing of any act herein declared to be unlawful, or herein prohibited, or the violation of any of the provisions hereof, or any intentional connivance at, or circumvention, or attempt to circumvent the provisions of this section, shall constitute a misdemeanor, and any one adjudged to be guilty thereof shall be punished by fine not exceeding five hundred dollars, and may be sentenced to hard labor for the city affected for not exceeding twelve months, one or both.

Section 2. All laws and parts of laws in conflict herewith are hereby expressly repealed.

The Post: April 22, April 29, May 6, May 13, 1947.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, ss,
COUNTY OF JEFFERSON.

D. Fish personally appeared before me this 10 day of June 1947 and upon oath states that he is the bookkeeper of The Birmingham Post a newspaper of general circulation in the City of Birmingham, County of Jefferson, State of Alabama, and further declares that the attached advertisement is a true

copy which appeared in the said Birmingham Post on the following dates, to wit: April 22, 29, May 6, 13, 1947.

Delma A. Fish,
Bookkeeper, Birmingham Post.

Subscribed and sworn to before me this 10 day of June, 1947.

C. N. Kicker,
Notary Public

(SEAL)

My Commission Expires March 30, 1950.

By Messrs. Adams (Jefferson), Beatty, Dumas, Gibson, Kaul, Meeks, Sadler (with notice and proof):

H. 353. To repeal Section 597, Title 62, Code of Alabama 1940, relating to the semi-annual publication of lists of persons drawing compensation from certain cities and towns.

Local Legislation.

Notice and proof H. 353:

LEGAL NOTICE

Notice is hereby given that an application will be made to the Legislature of Alabama during its 1947 Regular Session for the passage of the following Bill:

A BILL TO BE ENTITLED AN ACT

To repeal Section 597, Title 62, Code of Alabama 1940, relating to the semi-annual publication of lists of persons drawing compensation from certain cities and towns.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 597, Title 62, Code of Alabama 1940, be and the same is hereby repealed.

Section 2. This Act shall become effective upon its passage.
Post: April 28, May 5, 12 & 19, 1947.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, ss.
COUNTY OF JEFFERSON.

D. Fish personally appeared before me this 10 day of June 1947 and upon oath states that he is the bookkeeper of The Birmingham Post a newspaper of general circulation in the City of Birmingham, County of Jefferson, State of Alabama, and further declares that the attached advertisement is a true copy which appeared in the said Birmingham Post on the following dates, to wit: April 28, May 5, 12 & 19, 1947.

Delma A. Fish
Bookkeeper, Birmingham Post.

Subscribed and sworn to before me this 10 day of June, 1947.

C. N. Kicker,
Notary Public.

(SEAL)

My Commission Expires March 30, 1950.

By Messrs. Dumas, Beatty, Meeks, Sadler, and Gibson:

H. 354. To amend Sections 772 and 779, Title 37, Code of Alabama, 1940 to empower each municipal corporation in the State of Alabama to divide the territory within its police jurisdiction limits into business, industrial, and residential zones or districts.

Local Government.

By Mr. Garrett:

H. 355. To amend Section 913 of Title 51 of the 1940 Code of Alabama.

Ways and Means.

By Mr. Johnston:

H. 356. To amend Section 25 of Title 26 of the Code of Alabama 1940, as amended by an Act of the 1945 Legislature entitled an Act "To amend Section 25, Title 26 of the Code of Alabama 1940," approved July 6, 1945.

State Administration.

By Mr. Johnston:

H. 357. To amend Section 2, Title 26 of the 1940 Code.

State Administration.

By Messrs. Stone and Johnston:

H. 358. An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same.

Local Government.

By Messrs. Stone, Sullivan, and Johnston:

H. 359. To amend Section 25, Title 25, Code of Alabama 1940.

Judiciary.

By Messrs. Sightler, Busby, Pinkston and Ingalls (with notice and proof):

H. 360. To provide for the appointment of a deputy register of the Circuit Court of Montgomery County, and to prescribe the duties and fix the compensation and salary of such deputy register.

Local Legislation.

Notice and Proof H. 360:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, in the 1947 Session thereof, which bill is in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment of a deputy register of the Circuit Court of Montgomery County, and to prescribe the duties and fix the compensation and salary of such deputy register.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Register of the Circuit Court of Montgomery County shall appoint a deputy register for said Court, said deputy register shall be paid a salary of One Hundred Seventy-five Dollars per month by the County of Montgomery out of the general fund of said County. Said deputy register shall possess all the powers and authority, both ministerial and judicial now or hereafter possessed by such register by whom said deputy register is appointed.

Section 2. That all laws and parts of laws, general, local or special in conflict with the provisions of this act be, and the same are hereby expressly repealed.

Section 3. That this act shall go into effect immediately upon its approval by the Governor, or upon its otherwise becoming a law.
April 17-24, May 1-8, 1947.

STATE OF ALABAMA,
MONTGOMERY COUNTY.

Before me, Annie Ruth Starr, a Notary Public in and for the State and County aforesaid personally appeared Frank Nunnelee, Editor and Owner of the Montgomery Weekly, a newspaper of general circulation and published in Montgomery County, Alabama, who being known to me and being first duly sworn, deposes and says: that the Montgomery Weekly is duly authorized by law to publish legal notices; that the attached legal notice appeared in the regular issues of the Montgomery Weekly on the following dates: April 17th and 24th, May 1st and 8th, 1947.

FRANK NUNNELEE,
Affiant.

Sworn to and subscribed before me, this 13 day of May, 1947.

ANNIE RUTH STARR,

Notary Public, Montgomery County, Alabama.

My Commission expires Sept. 8, 1948.

By Messrs. Sightler, Busby, Pinkston and Ingalls (with notice and proof):

H. 361. To amend Section 1 of Act 177, approved June 17, 1943, which fixes the compensation of the sheriff of Montgomery County and provides for help and assistants and other expense in the office of the sheriff, by increasing the allowance for help and assistants, and increasing the compensation for the sheriff.

Local Legislation.

Notice and Proof H. 361:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, in the 1947 Session thereof, which bill is in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act 177, approved June 17, 1943, which fixes the compensation of the sheriff of Montgomery County and provides for help and assistants and other expense in the office of the sheriff, by increasing the allowance for help and assistants and increasing the compensation of the sheriff.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1 of Act 177, approved June 17, 1943, which fixes the compensation of the sheriff of Montgomery County and provides for help and assistants and other expense in the office of the sheriff, is amended to read: "The sheriff of Montgomery County shall be paid an annual salary of five thousand (\$5,000) net, in lieu of all other compensation, fees, and emoluments, except as is otherwise provided in this Act, and the sheriff shall be allowed the sum of forty-six thousand and two hundred dollars (\$46,200) per annum for help and assistants as follows: one chief deputy at thirty-six hundred dollars (\$3,600) per annum; eleven deputies at three thousand dollars (\$3,000) per annum; one warden at three thousand and three hundred dollars (\$3,300) per annum; two wardens at twenty-four hundred dollars (\$2,400) per annum; and one attorney at one thousand and five hundred dollars (\$1,500) per annum. In addition, the sheriff shall be allowed the further sum of twenty-five hundred dollars (\$2,500) per annum in equal monthly installments, for his ex officio services and for his attendance upon the sessions of the juvenile court or courts of like jurisdiction in the county. The sheriff further shall be allowed his necessary expenses incurred outside of Montgomery County in investigation of felony cases and apprehension and return of prisoners, up to and including six hundred dollars (\$600) per annum; such expense money shall be paid on requisition filed with and approved by the board of revenue of the county. All payments provided for in this Section shall be paid out of the general funds of the county; and, except as herein otherwise provided, the selection and appointment of deputies, wardens and the attorney shall be made by the sheriff." The Montgomery Weekly, April 17-24, May 1-8, 1947.

STATE OF ALABAMA,
MONTGOMERY COUNTY.

Before me, Ruby S. Hurst, a Notary Public, in and for said State and County aforesaid, personally appeared Frank Nunnelee, Publisher of the Montgomery Weekly, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in The Montgomery Weekly for 4 consecutive weeks, as follows: April 17-24, May 1-8, 1947.

That The Montgomery Weekly is a weekly newspaper of general circulation in Montgomery County, Alabama; That it is entered in the postoffice at Montgomery, Alabama, as second-class mailing matter; That it has been published for 52 consecutive weeks prior to the publication of this legal notice.

(Signed) FRANK NUNNELEE,
Publisher.

Sworn to and subscribed before me, this 9 day of May, 1947.

RUBY S. HURST,
Notary Public.

By Messrs. Sightler, Busby, Pinkston and Ingalls (with notice and proof):

H. 362. To provide for the appointment of a deputy clerk of the Circuit Court of Montgomery County, and to prescribe the duties and fix the compensation and salary of such deputy clerk.

Local Legislation.

Notice and Proof 362:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, in the 1947 Session thereof, which bill is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To provide for the appointment of a deputy clerk of the Circuit Court of Montgomery County, and to prescribe the duties and fix the compensation and salary of such deputy clerk.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Clerk of the Circuit Court of Montgomery County shall appoint a deputy clerk for said Court, said deputy clerk shall be paid a salary of one hundred seventy-five dollars per month by the County of Montgomery out of the general fund of said County. Said deputy clerk shall possess all the powers and authority, both ministerial and judicial now or hereafter possessed by such clerk by whom said deputy clerk is appointed.

Section 2. That all laws and part of laws, general, local or special in conflict with the provisions of this act be, and the same are hereby expressly repealed.

Section 3. That this act shall go into effect immediately upon its approval by the Governor, or upon its otherwise becoming a law.
April 17-24, May 1-8, 1947.

STATE OF ALABAMA, MONTGOMERY COUNTY.

Before me, Virginia B. Rangeby, a Notary Public, in and for said State and County aforesaid, personally appeared Frank Nunnelee, Publisher of the Montgomery Weekly, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in the Montgomery Weekly for 4 consecutive weeks as follows: April 17-24, May 1-8, 1947.

That the Montgomery Weekly is a weekly newspaper of general circulation in Montgomery County, Alabama; That it is entered in the postoffice at Montgomery, Alabama, second-class mailing matter; That it has been published for 52 consecutive weeks prior to the publication of this legal notice.

(Signed) FRANK NUNNELEE,
Publisher.

Sworn to and subscribed before me, this 6 day of May, 1947.
VIRGINIA B. RANGEBY,
Notary Public.

By Messrs. Sightler, Busby, Pinkston and Ingalls (with notice and proof):

H. 363. To amend Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on June 28, 1940, entitled an Act: "To authorize and empower the Board of Revenue of Montgomery County, Alabama, in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$600.00 per annum to the support of the Montgomery Museum of Fine Arts. Said sum to be paid in equal monthly installments."

Local Legislation.

Notice and Proof H. 363:

NOTICE

To Whom It May Concern:

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, in the 1947 Session thereof, which bill is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To amend Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on June 28, 1940, entitled an Act:

"To authorize and empower the Board of Revenue of Montgomery County, Alabama, in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$600.00 per annum to the support of the Montgomery Museum of Fine Arts. Said sum to be paid in equal monthly installments."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Board of Revenue of Montgomery County, Alabama is hereby authorized and empowered in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$1,800.00 per annum to the support of the Montgomery Museum of Fine Arts. Said amount to be paid in equal monthly installments.

Section 2. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

Section 3. This Act shall take effect upon its passage and approval by the Governor.

The Montgomery Weekly May 15-22-29, June 5, 1947.

STATE OF ALABAMA. MONTGOMERY COUNTY.

Before me appeared Frank Nunnelee, Editor and Owner of The Montgomery Weekly, a newspaper of general circulation, published in Montgomery, Alabama, who, upon being duly sworn says: that the attached notice was published in The Montgomery Weekly for four consecutive issues, namely, those of May 15, 22, 29 and June 5, 1947.

Sworn to and subscribed before me, a notary public in and for the County of Montgomery, State of Alabama.

This the 5th day of June 1947.

FRANK NUNNELEE,
Owner and Editor of The Montgomery Weekly.
BERNICE BARRETT,

Notary Public in and for County of Montgomery, State of Alabama.

By Mr. Benford:

H. 364. To provide for the transportation in school busses of patrons of a school to and from school functions.

Education.

By Mr. Harris:

H. 365. To provide that the writ of mandamus shall lie and shall be appropriate to review the action of any board, commission or public official in declining to approve any bond required by law to be approved.

Judiciary.

By Mr. Harris:

H. 366. To enable persons, firms and corporations, including banks, insurance companies and other agencies and institutions selling property and securing the purchase price by mortgages on real estate or making loans secured by mortgages on real estate to also secure the debt by mortgages on certain home appliances and equipment, or either, located in, on or attached to said real estate and all future replacements thereof or substitutions therefor that may be installed on the premises; to prohibit the removal of such mortgaged appliances and equipment, or either, from the real estate; to provide for the recordation of mortgages executed pursuant to this Act; to make such mortgages effective against third parties; to define and provide for the violation of certain provisions of this Act and to repeal all laws or parts of laws inconsistent or in conflict herewith.

Business and Labor.

By Messrs. Ingalls, Pinkston, Busby and Sightler (with notice and proof):

H. 367. To fix the compensation of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide for clerical help and other assistance to said Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for other contingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require said Judge of probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by law to be collected by said Judge of Probate as other moneys belonging to said county are paid.

Local Legislation.

Notice and Proof H. 367:

NOTICE

TO WHOM IT MAY CONCERN:

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, in the 1947 Session thereof, which bill is in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide for clerical help and other assistance to said Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for other contingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require said Judge of Probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by law to be collected by said Judge of Probate as other moneys belonging to said county are paid.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the salary of the Judge of Probate of Montgomery County, Alabama, shall be seven thousand dollars, per annum, and an allowance for office help as follows: One chief clerk at Forty-two hundred dollars per annum, three clerks at Twenty-seven hundred dollars per annum each, seven clerks at Twenty-one hundred dollars per annum each, and one of said clerks in addition to the other duties, shall be ex-officio clerk of the Board of Registrars, and fifteen hundred dollars per annum for other expenses and clerk hire to be paid out on warrant by the Board of Revenue on proper certificates of said Judge of Probate, and the further sum of Twelve Hundred Dollars, as ex-officio services and for other contingencies to be paid to said Judge of Probate in equal monthly installments out of the general funds of said County. Each of said clerks will be designated by the Judge of Probate.

Section 2. That said Judge of Probate shall pay into the County Treasury of said County, all costs, charges of courts, fees and commissions authorized by law or which may hereafter be authorized by law to be collected by said Judge of Probate as other moneys belonging to said County are paid. The Board of Revenue shall have the power and authority to audit the account of said Judge of Probate.

Section 3. That all compensation of the Judge of Probate mentioned in this Act, and all allowances provided for expenses, and other assistance shall be paid out of the general fund of the County in monthly installments.

Section 4. That the premiums on said Judge of Probate's bond and the bonds of his clerks shall be paid out of the general funds of said County.

Section 5. That all laws and parts of laws, general, local or special in conflict with the provisions of this Act, be and the same are hereby repealed.

Section 6. That this Act shall be effective immediately upon its approval by the Governor or upon its otherwise becoming a law.
The Montgomery Weekly, April 10-17-24, May 1, 1947.

STATE OF ALABAMA.
MONTGOMERY COUNTY.

Before me, Ruby S. Hurst a Notary Public in and for said State and County aforesaid, personally appeared Frank Nunnelee, Publisher of The Montgomery Weekly, and after being duly sworn by me, deposes and says that the attached legal notice was published in The Montgomery Weekly

for four consecutive weeks, as follows: April 10, April 17, April 24, May 1, 1947.

That The Montgomery Weekly is a weekly newspaper of general circulation in Montgomery County, Alabama, that it is entered in the postoffice at Montgomery, Alabama, as second-class mailing matter; that it has been published for 52 consecutive weeks prior to the publication of this legal notice.

FRANK NUNNELEE,
Publisher.

Sworn to and subscribed before me, this 6 day of May, 1947.

RUBY S. HURST,
Notary Public.

By Messrs. Ingalls, Busby, Pinkston, and Sightler (with notice and proof)

H. 368. To fix the Salary of the Deputy Clerk of the Court of Common Pleas of Montgomery.

Local Legislation.

Notice and Proof H. 368:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, in the 1947 Session thereof, which bill is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To fix the salary of the Deputy Clerk of the Court of Common Pleas of Montgomery.

Section 1. That the Salary of the Deputy Clerk of the Court of Common Pleas of Montgomery shall be Twenty-four Hundred Dollars per annum payable in monthly installments out of the general fund of the Treasury of Montgomery County upon warrants drawn upon the certificates of the Judge of said Court that said Deputy Clerk has performed the duties of his or her office for such month.

Section 2. That this Act shall become effective upon its passage and approval by the Governor.

Section 3. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby expressly repealed.
The Montgomery Weekly, April 17-24, May 1-8, 1947.

AFFIDAVIT FOR PUBLICATION

Before me, Edna McArdle, a Notary Public in and for County of Montgomery, and State of Alabama, personally appeared Frank Nunnellee, Editor of Montgomery Weekly, who being duly sworn, deposes and says on oath that the attached legal advertisement appeared in the Montgomery Weekly for four consecutive issues, namely those of April 17th, 24th, May 1st and 8th, 1947.

Dated this 8th day of May, 1947.

FRANK NUNNELEE,
Editor.
EDNA McARDLE,
Notary Public.

By Messrs. Ingalls, Pinkston, Sightler and Busby:

H. 369. To amend section 187 of Title 13, Code of Alabama of 1940.

Local Legislation.

By Mr. Merrill:

H. 370. To amend Section 613 of Title 51, Code of Alabama 1940.

Ways and Means.

By Mr. Merrill:

H. 371. To authorize cities and towns of Alabama to impose a reasonable license tax in an amount within its discretion on the operation of certain vending machines, including music vending machines, and to regulate and control the location and use of music vending machines by refusal or revocation of privilege license and to repeal license tax limitations as to amount that a municipality may charge.

Ways and Means.

By Messrs. Adams (Jefferson), Beatty, Dumas, Gibson, Kaul, Meeks, Sadler (notice and proof):

H. 372. Relating to sentence imposed by the Recorder's Court of Birmingham, Alabama; and, without limiting the generality of the foregoing to provide for the suspension of execution, the execution after suspension, and the remission of, such sentences or any part thereof.

Local Legislation.

Notice and Proof H. 372:

LEGAL NOTICE

Notice is hereby given that an application will be made to the Legislature of Alabama during its 1947 Regular Session for the passage of the following Bill:

A BILL TO BE ENTITLED AN ACT

Relating to sentences imposed by the Recorder's Court of Birmingham, Alabama; and, without limiting the generality of the foregoing, to provide for the suspension of execution, the execution after suspension, and the remission of, such sentences or any part thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Recorder's Court of Birmingham, Alabama, may, by or through the judge by or through whom such court acted in imposing such sentence, or, in case of absence of such judge from the jurisdiction or his separation from office, by the chief or principal judge of such court, or in case there be no such chief or principal judge, by any judge of such court,

suspend the execution of such sentence, or any part or parcel thereof, either contemporaneously with the imposition of such sentence or at any time thereafter, for a period of time not exceeding one year from date of the order of suspension. The execution of any sentence or part of sentence so suspended may be further suspended from time to time, but the total period of suspension shall not extend beyond three years from the date of judgment of conviction.

Section 2. After imposition and suspension of the execution of any such sentence such court, acting by or through a judge circumstanced as provided in section 1 hereof, may, at any time during said period of suspension, order such sentence, or the unperformed or unexecuted portion thereof carried into execution, or order such sentence, or any unperformed or unexecuted part or parcel thereof, remitted.

Section 3. This Act shall take effect upon its passage.
The Post: April 22, April 29, May 6, May 13, 1947.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, ss,
COUNTY OF JEFFERSON.

D. Fish personally appeared before me this 10 day of June 1947 and upon oath states that he is the bookkeeper of The Birmingham Post a newspaper of general circulation in the City of Birmingham, County of Jefferson, State of Alabama, and further declares that the attached advertisement is a true copy which appeared in the said Birmingham Post on the following dates, to-wit: April 22, 29, May 6, 13, 1947.

DELMA A. FISH,

Bookkeeper, Birmingham Post.

Subscribed and sworn to before me this 10 day of June 1947.

C. N. KICKER,

Notary Public.

(SEAL)

My Commission Expires March 30, 1950.

By Messrs. Meeks, Crocker, Miller, Shirley, Thompson (Pike):

H. 373. To regulate the use of county-owned school buses.

Education.

By Messrs. Inzer, Taylor (Autauga), and Faulk:

H. 374. To prohibit the sale, offering or exposing for sale of fireworks; defining fireworks and to regulate the manner of using fireworks, and to provide penalties for the violation of the provisions of the Act.

Judiciary.

By Mr. Shelton:

H. 375. To provide that the State shall pay one-half of expenses incurred by counties in holding and conducting elections at which amendments to the Constitution are to be voted on or in which a State office is to be filled.

Ways and Means.

By Messrs. Shelton and Callahan:

H. 376. To amend Section 45 of Title 31 of the 1940 Code.

Judiciary.

By Messrs. Shelton and Callahan:

H. 377. To amend Section 96 of Title 11 of the 1940 Code, which relates to fees of justices of the peace in criminal cases.

Judiciary.

By Messrs. Shelton and Callahan:

H. 378. To amend Section 38 of Title 11 of the 1940 Code, which relates to fees of justices of the peace.

Judiciary.

By Messrs. Shelton and Callahan:

H. 379. To amend Section 254 of Title 47 of the 1940 Code.

Judiciary.

By Messrs. Black and McDanal:

H. 380. To provide for clerical assistance and office equipment and supplies for the office of the Judge of Probate in all counties in this State having a population of not less than 63,500 and not more than 66,000 according to the last or any subsequent Federal census; and to provide for payment for such clerical assistance and office equipment and supplies out of the general fund of such counties.

Local Legislation.

By Messrs. Callahan and Shelton:

H. 381. To amend Act No. 593, Senate Bill 329, approved July 9, 1943, entitled, "An Act To create in all cities in the State of Alabama which have a population exceeding twenty-six thousand and not exceeding thirty-six thousand inhabitants according to the latest federal decennial census, or which shall have such population according to any such census that may be taken hereafter, a fund to be known as Firemen's and Policemen's Pension and Relief Fund for the benefit and relief of disabled sick, retired and other members of such fire and police departments and the widows, certain of the minor children and dependent widowed mothers of certain deceased members of the fire and police departments of such cities, and to provide for the use, management, control, and administration of such funds; to provide for the raising of such funds and the sources thereof; to provide for the payment into such funds of a proportion of the monthly salary of such members of the fire departments and police departments of such cities as are eligible to participate in the benefits of such funds; to provide for the payment into such funds of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies, including mutual and industrial and industrial fire insurance companies, doing business within such cities, and for making a sworn report by such fire insurance companies of such premiums to the Board of Trustees of such funds, and to prescribe

the penalty for failure to make such payments and report, and for enforcing such penalty; to provide for sworn statements to be made to the city clerks of such cities by all persons, firms, or corporations which conduct a fire insurance agency or brokerage business within such cities, and to prescribe the penalty for failure to make and file such statements and for enforcing such penalty; to provide for the payment into such funds certain witness fees and certain rewards and gratuities received by firemen and policemen; to provide for the payment into such funds of all liquor seizure fees and all amounts received by the City from the Alcohol Beverage Control Board for confiscated liquors; to authorize the Board of Trustees to accept money and property for said funds; to authorize the governing bodies of such cities to make appropriations to such fund out of the city treasury; to create in such cities a Board of Trustees of such Firemen's and Policemen's Pension and Relief Fund; to provide for the organization of such Board of Trustees and to designate certain members of said Board and provide the time and method of electing the remaining members thereof and their term of office; to designate and provide for the selection of officers and agents of said Board; to declare the said Board of Trustees the trustees of such funds; to prescribe the powers, authority and duties of such Board of Trustees, its officers and agents; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire departments and police departments and the widows, certain minor children, and dependent widowed mothers of certain deceased members thereof; to provide for the retirement and reinstatement of members of such fire and police departments; to prescribe the duties of the city attorney and city physician in connection with said Board of Trustees and said funds; to provide for medical examination and diagnosis of the physical and mental condition of such members of fire and police departments; to provide that no person shall have any vested or contractual rights in said fund, but that such fund shall be held subject to the power of the Legislature; to designate the treasurer of such fund and his duties; to provide that said fund and all benefits received therefrom shall be exempt from levy, execution, garnishment, attachment or seizure of any kind; to provide the time of taking effect of this Act."

Local Legislation.

By Messrs. Thompson (Pike), Mathison, Bennett and Vann:

H. 382. To provide for an alternate method of paying and collecting the stamp tax, tag tax or fee required by Title 2, Section 294, Code of Alabama 1940, on fertilizer, fertilizer material or chemical sold in this state; to authorize the Commissioner of Agriculture and Industries to grant permits on certain conditions to pay said tax on a monthly basis in lieu of using tax tags or stamps; to provide for the taxpayer to make monthly reports to the Commissioner, and keep records of fertilizer, fertilizer material or

chemical sold; to provide that the said tax be paid monthly on a certain date and if not paid to provide for a penalty; to provide for the revocation of permits; to create a lien for the enforcement of the payment of the tax; to provide that said tax shall accrue to the agricultural fund; and to provide that this act shall be supplementary to Article 16, Title 2, Code of Alabama 1940.

Ways and Means.

By Messrs. Thompson (Pike), Mathison, Bennett and Vann:

H. 383. To amend Title 2, Section 294, of the Code of Alabama of 1940; and to provide for the effective date of this act.

Ways and Means.

By Messrs. Duffee and Sellers (with notice and proof):

H. 384. To amend Sections 1 and 2 of an Act, entitled an Act "To provide and require the Sheriff of Tallapoosa County, Alabama, to appoint and maintain a regular Deputy Sheriff at each of the following places in said County, to-wit: Alexander City, Dadeville, Daviston, and East Tallassee; to prescribe the duties of such Deputies, to fix their terms of office, to provide for their compensation and the payment thereof by said County, and to fix the amount of such compensation, approved July 17, 1931" as amended by an Act of the Legislature, approved September 9, 1935, and as further amended by an Act of the Legislature, May 20th, 1943.

Local Legislation.

Notice and Proof H. 384:

NOTICE OF LOCAL BILL
TO BE INTRODUCED IN LEGISLATURE

Notice is hereby given of the intention to apply for the passage of a local law at the regular session of the Legislature of Alabama which is to convene on the first Tuesday in May 1947; the substance of the proposed law being to provide for Deputy Sheriffs at Dadeville, Alexander City, Daviston and East Tallassee, and to provide for their compensation.

The local law as proposed for passage by the Legislature of the State of Alabama is in the following language, to-wit:

AN ACT

To amend Sections 1 and 2 of an Act, entitled an Act "To provide and require the Sheriff of Tallapoosa County, Alabama, to appoint and maintain a regular Deputy Sheriff at each of the following places in said County, to-wit: Alexander City, Dadeville, Daviston, and East Tallassee; to prescribe the duties of such Deputies, to fix their terms of office, to provide for their compensation and the payment thereof by said County, and to fix the amount of such compensation, approved July 17, 1931" as amended by an Act of the Legislature, approved September 9, 1935, and as further amended by an Act of the Legislature, May 20th, 1943.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That section 1 of an Act, entitled an Act "To provide and require the Sheriff of Tallapoosa County, Alabama, to appoint and maintain a regular deputy sheriff at each of the following places in said county, to-wit: Alexander City, Dadeville, Daviston, and East Tallassee; to prescribe the duties of such deputies, to fix their terms of office, to provide for their compensation and the payment thereof by said County, and to fix the amount of such compensation," approved July 17th, 1931, as amended by an Act of the Legislature of Alabama, approved September 9th, 1935, and as further amended by an Act of the Legislature of Alabama, approved May 20th, 1943, be and the same is hereby amended so as to read as follows: Section 1: The Sheriff of Tallapoosa County, Alabama, is authorized and required to appoint and maintain a regular deputy sheriff at each of the following places in said County, to-wit: Alexander City, Dadeville, Daviston and East Tallassee, whose office shall be maintained in said above named places respectively and each of whom shall be appointed by and hold office at the pleasure of the Sheriff of Tallapoosa County, Alabama. The Deputy Sheriff at Dadeville shall be known as the Chief Deputy Sheriff.

Section 2. That Section 2 of an Act, entitled an Act "To provide and require the Sheriff of Tallapoosa County, Alabama, to appoint and maintain a regular Deputy Sheriff at each of the following places in said County, to-wit: Alexander City, Dadeville, Daviston, and East Tallassee; to prescribe the duties of such deputies, to fix their terms of office, to provide for their compensation and the payment thereof, and to fix the amount of such compensation," approved July 17, 1931, as amended by an Act of the Legislature of Alabama, approved September 9, 1935, and as further amended by an Act of the Legislature of Alabama, approved May 20th, 1943, be, and the same is hereby amended so as to read as follows: Section 2. That the salary each of said Deputy Sheriffs shall be as follows: The Deputy Sheriff appointed at Alexander City in said County shall be paid a salary of eighteen Hundred and no/100 (\$1800.00) Dollars per annum to be paid by said Tallapoosa County, Alabama, out of the general funds of said County in equal monthly installments on warrant drawn by the Judge of Probate of said County, payable on the 1st day of each month; the Deputy Sheriff appointed at Dadeville in said County, and designated as the Chief Deputy Sheriff, shall be paid a salary of not less than Eighteen Hundred and no/100 (\$1800.00) Dollars and not more than Twenty seven hundred and no/100 (\$2700.00) Dollars per annum, the exact amount within said limits to be fixed by the Court of County Commissioners of Tallapoosa County, Alabama, and to be paid by said Tallapoosa County out of the general funds of said county in equal monthly installments on warrant drawn by the Judge of Probate of said County, payable on the 1st day of each month; the Deputy Sheriff appointed at Daviston in said Tallapoosa County shall be paid a salary of Seven hundred twenty and no/100 (\$720.00) Dollars per annum to be paid by said Tallapoosa County out of the general funds of said county in equal monthly installments on warrants drawn by the Judge of Probate of said County payable on the 1st day of each month and that the Deputy Sheriff appointed at East Tallassee in said Tallapoosa County shall be paid a salary of Eighteen hundred and no/100 (\$1800.00) Dollars per annum to be paid by said Tallapoosa County out of the general funds of said County in equal monthly installments on warrants drawn by the Judge of Probate of said County, payable on the 1st day of each month. That each of said Deputy Sheriffs before entering upon his duties as such Deputy Sheriff shall make and file with the Judge of Probate of said County the oath of office required by law, and in accordance with the provisions of the Constitution of Alabama, and shall execute and file a bond with good and sufficient sureties in the sum of not less than one thousand dollars and no more than three thousand dollars, the amount of same to be fixed by the Sheriff, to be payable to and approved by the Sheriff of said County, and

conditioned for the faithful performance and discharge of his duties as such Deputy Sheriff.

Section 3. That all laws and parts of laws in conflict with this act are hereby repealed.

4t-5:22r

AFFIDAVIT OF PUBLICATION OF LOCAL BILL

STATE OF ALABAMA.
TALLAPOOSA COUNTY.

Before me, the undersigned authority, personally appeared Thos. S. Bugg, publisher of The Dadeville Record, a newspaper with a general circulation, published at Dadeville, Tallapoosa County, Alabama, who disposes and says upon oath that the attached notice of publication of a local bill was published in said newspaper for four consecutive times, to-wit:

On May 1, 1947; May 8, 1947; May 15, 1947; and May 22, 1947.

THOS. S. BUGG,

Pub.

Sworn to and subscribed before me, this the 9th day of June, 1947.

J. A. PRUETT,

Notary Public.

By Mr. Wood (Washington):

H. 385. To amend Sections 753, 755, 774, and 784 of Title 51 of the 1940 Code, which relate to the sales tax.

Ways and Means.

BILLS RE-REFERRED

Mr. Meeks, Chairman of the Standing Committee on State Administration, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Messrs. McGowin, Wallace, Johnston, Larkins, Buckner, Brown, Gibson, Shelton and Busby:

H. 12. To amend Section 30 of Title 41 of the 1940 Code of Alabama which relates to appropriation for rental of office spaces.

The above and foregoing bill, H. 12, was, pursuant to House Rule No. 59, re-referred to the Standing Committee on Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Snodgrass:

H.J.R. 17. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again Tuesday, June 17th, 1947, at 10 o'clock A.M.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 17 was adopted.

By Mr. Shelton:

H.R. 18. A RESOLUTION. WHEREAS, Hon. Roberts H. Brown, a fellow member of the House of Representatives is held in high esteem and regard by the members of this body, and

WHEREAS, he has, on three separate occasions, heretofore been elected as a member of this body by the citizens of his home County in which is located the Alabama Polytechnic Institute, usually referred to as Auburn, and

WHEREAS, during his second term as a member of the House of Representatives, he volunteered his services to his Country as a private in the Air Corps and was honorably discharged after serving three years and advancing, on his merit, to the rank of Second Lieutenant; and

WHEREAS, he has been a distinguished citizen of Lee County, Alabama, for a period of more than twenty years, during which time he has evidenced much interest in the progress and advancement of the Alabama Polytechnic Institute; and

WHEREAS, he is an alumnus of that Institution, having graduated with honors from that Institution in 1930; and

WHEREAS, he has been an honored member of the Bar of the State of Alabama for a period of twelve years or more and has evidenced an active interest in all government and civic matters; and

WHEREAS, in recognition of his sterling character, ability and integrity, the Hon. James E. Folsom, Governor of Alabama, selected and appointed him as a member of the Board of Trustees of the Alabama Polytechnic Institute.

THEREFORE, BE IT RESOLVED, That the House of Representatives does hereby go on record as endorsing him for that position, feeling that he will serve with dignity and honor and that his services in that position will be of great benefit to the Alabama Polytechnic Institute and the State of Alabama.

The motion of Mr. Wallace to suspend the rules in order for the resolution to be placed upon immediate adoption, was lost.

Yeas 50; Nays 19.

Yeas:

| | | | |
|-------------|-------------------|----------|---------------------|
| Mr. Speaker | Denton | Mathison | Snodgrass |
| Barnett | Duffee | Merrill | Still |
| Benford | Evans | Mitchell | Stone |
| Black | Garrett | Nelson | Sullivan |
| Brassell | Gibson | O'Neal | Thomas |
| Broadwater | Haynes (Franklin) | Pinkston | Thompson (Crenshaw) |
| Buckner | Haynes (Lowndes) | Pinson | Thompson (Pike) |
| Busby | Ingalls | Ramey | Wallace |
| Callahan | Johnston | Robinson | Ward |
| Cobb | Knight | Sadler | Weaver |
| Coburn | Leonard | Shelton | White (Covington) |
| Cole | McClendon | Shirley | |
| Davis | McDanal | Sightler | |

Nays:

| | | | |
|--------------|---------|--------|------------------|
| Messrs. : | Frasier | Head | Mason |
| Adams (Dale) | George | Howell | Molette |
| Cox | Gillis | Inzer | Norman |
| Crocker | Givhan | Kaul | Taylor (Autauga) |
| Faulk | Harris | Martin | White (Perry) |

—19

And H. R. 18 was referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 17. Relative to adjournment of the two houses, until Tuesday, June 17th, 1947, at 10 o'clock A.M.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 16. Relative to appointing a joint committee of the House and Senate to report to the Legislature on the practicability of enforcing a code of minimum building standards, and adoption of legislation similar to Georgia Building Safety Law Act.

And the President and Presiding Officer of the Senate appointed as committee on part of the Senate Messrs. Cater and Barrett.

J. E. Speight,
Secretary.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee, in session had acted on the following resolution and ordered same returned to the House with a favorable report:

By Mr. Shelton:

H.R. 18. Relative to endorsement by the House of Representatives of appointment by Governor James E. Folsom of **Honorable Roberts H. Brown as a member of the Board of Trustees of the Alabama Polytechnic Institute.**

The above and foregoing H.R. 18 was read a second time and placed on the Calendar.

MOTION IN WRITING BY MR. MARTIN

I do now move that the House adjourn until ten o'clock Tuesday.

And Mr. Martin's motion was lost.

Yeas 24; Nays 34.

Yeas:

| | | | |
|--------------|------------------|----------|------------------|
| Messrs.: | Harris | Martin | Richardson |
| Adams (Dale) | Haynes (Lowndes) | Mathison | Sadler |
| Barnett | Head | Molette | Taylor (Autauga) |
| Beatty | Hornsby | Norman | Thagard |
| Faulk | Inzer | Pruitt | White (Perry) |
| Frasier | McIlwain | Ramey | Wood (Bibb) |
| Givhan | | | |

—24

Nays:

| | | | |
|-------------------|---------|-----------|---------------------|
| Mr. Speaker | Davis | Merrill | Still |
| Adams (Jefferson) | Evans | Miller | Thomas |
| Benford | Gillis | Mitchell | Thompson (Crenshaw) |
| Bennett | Howell | Nelson | Wallace |
| Black | Ingalls | Nettles | Ward |
| Buckner | Larkins | Shelton | Weaver |
| Busby | McDanal | Shirley | Wood (Washington) |
| Callahan | Malone | Sightler | |
| Coburn | Mason | Snodgrass | |

—34

MOTION IN WRITING BY MR. INZER

I do now move that the House adjourn until ten o'clock Tuesday.

And the motion of Mr. Inzer was adopted.

Yeas 32; Nays 29.

Yeas:

| | | | |
|--------------|------------------|------------|------------------|
| Messrs.: | Harris | Mason | Rogers |
| Adams (Dale) | Haynes (Lowndes) | Mathison | Sadler |
| Barnett | Head | Molette | Still |
| Beatty | Hornsby | Norman | Taylor (Autauga) |
| Faulk | Inzer | Pruitt | Thagard |
| Frasier | McClendon | Ramey | Thompson (Pike) |
| Gibson | Malone | Richardson | White (Perry) |
| Gillis | Martin | Robinson | Wood (Bibb) |
| Givhan | | | |

—32

Nays:

| | | | |
|-------------|---------|----------|---------------------|
| Mr. Speaker | Davis | Miller | Snodgrass |
| Benford | Evans | Mitchell | Thompson (Crenshaw) |
| Bennett | Garrett | Nelson | Wallace |
| Black | Howell | Nettles | Ward |
| Buckner | Ingalls | Shelton | Weaver |
| Busby | Larkins | Shirley | Wood (Washington) |
| Callahan | Leonard | Sightler | |
| Coburn | Merrill | | |

—29

ADJOURNMENT

The House adjourned until Tuesday, June 17, 1947, at 10 o'clock, A.M.

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 17, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend J. H. Webb, pastor of Clovredale Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the Roll of the House the following members answered to their names.

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Lovelace | Shelton |
| Adams (Dale) | Dumas | McClendon | Shirley |
| Adams (Jefferson) | Evans | McDanal | Sightler |
| Barnett | Faulk | McDonald | Snodgrass |
| Beatty | Frasier | Malone | Stewart |
| Benford | Ganey | Martin | Still |
| Bennett | Garrett | Mason | Stone |
| Black | George | Mathison | Sullivan |
| Brannan | Gibson | Meeks | Taylor (Autauga) |
| Brassell | Gillis | Merrill | Taylor (Hale) |
| Broadwater | Givhan | Miller | Thagard |
| Brown | Hankins | Mitchell | Thomas |
| Buckner | Harris | Nelson | Thomp- |
| Busby | Harrison | Nettles | son (Crenshaw) |
| Bush | Haynes (Franklin) | Norman | Thompson (Pike) |
| Callahan | Haynes (Lowndes) | Pinkston | Tucker |
| Cobb | Head | Pinson | Vann |
| Coburn | Hornsby | Pruitt | Wallace |
| Cole | Howell | Ramey | Ward |
| Cox | Ingalls | Richardson | Weaver |
| Crocker | Inzer | Roberts | Whitcomb |
| Davis | Johnston | Robinson | White (Covington) |
| Denton | Kaul | Rogers | White (Perry) |
| Dobbs (Elmore) | Knight | Sadler | Wood (Bibb) |
| Dobbs (Fayette) | Larkins | Sellers | Wood (Washington) |
| Doughty | Leonard | | |

—101

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the sixth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

M H. 109. To amend Section 29 of Title 60, Code of Alabama 1940, as amended by an Act approved May 15, 1943, entitled, "An Act to amend Sections 29 and 35 of Title 60 of the 1940 Code of Alabama."

Also:

H. 124. To repeal an Act approved September 9, 1927, entitled "An Act to provide for the establishment and creation of a water-works Commission for the City of Phenix City: To prescribe their number and provide for their election or appointment, and prescribe their terms of office: To prescribe their qualifications; To prescribe their oath of office; To fix said Commission's duties and powers: To provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties: To prescribe and fix the meetings of said Commission: To prescribe the name of said Commission: To fix the bond of the Clerk and Treasurer of said Commission: To provide for and prescribe the duties and powers of said Commission; Tho provide for the employees of said Commission: To prescribe the manner of execution of contracts by said Commission: To provide a seal for said Commission: To provide that said Commission may make temporary loans: To provide for an Attorney for said Commission: To provide for the establishment of an office by said Commission: To provide for the auditing of the books and accounts of said Commission and the making of reports of the financial condition of said Commission to the governing authorities of said City of Phenix City, and to repeal all laws in conflict herewith.

Also:

H. 125. To create a hospital commission for the City of Phenix City, Alabama, to provide its duties, powers and authority to operate hospitals and to provide a plan for hospitalization by collection of fees on a weekly or monthly basis from those desiring hospital service.

Also:

H. 128. To allow the Sheriff of Cleburne County, Alabama, two additional deputies; to provide for the fixing of the salaries

of said deputies and to make the same payable out of the General Funds of Cleburn County in monthly installments.

Also:

H. 120. To provide for the municipality of Phenix City a civil service system governing the appointment removal, salaries, tenure, and official conduct of employees and officers of the police and fire departments of the city, defining violations of the Act and imposing penalties for violations.

Also:

H. 119. To authorize the Sheriff of Russell County to appoint an additional deputy sheriff; to fix the salary of the deputy, and to require him to give bond.

Also:

H. 118. To establish for the municipality of Phenix City a pension and relief system for the benefit of fireman and policeman: creating for that purpose a fund, the revenues of which shall be derived from deductions from the salaries of participating firemen and policemen, from contributions made by the city, from fees, donations, rewards and gratuities paid participating firemen and policemen for special services, from the annual privilege license tax on fire and marine insurance companies, from receipts by the city of income from contraband liquor, and from penalties, forfeitures, gifts, and other sources; imposing specific duties upon the city clerk and city attorney in connection with the administration of the Act; and prescribing penalties for violations.

Also:

H. 117. To amend Section 2 of an Act approved May 28, 1943, fixing the salary of the Deputy Circuit Clerk of Russell County, Alabama, and providing the method of payment thereof.

Also:

H. 43. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Greene County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

J. E. Spieght,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Boutwell, Allen, Henderson and Lowe:

S. 71. To repeal the Act entitled "An Act, To provide for the transfer of any surplus over and above \$1,750,000.00 in the State Treasury to the credit of the General Fund, after the payment of all appropriations now or hereafter made payable from said fund, for each of the fiscal years ending September 30, 1946, and September 30, 1947, to the Minimum Program Fund for expenditure during the fiscal year next succeeding the fiscal year in which said surplus accrues, in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund.", approved June 12, 1945.

Also:

By Mr. Mize:

S. 160. To amend Section 613, Title 62, Code of Alabama of 1940, which relates to the election, qualifications, and compensation of a recorder or municipal judge for the City of Tuscaloosa.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that application will be made at the next regular session of the Legislature of Alabama for the passage of a bill, which in substance will be as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 613, Title 62, Code of Alabama of 1940, which relates to the election, qualifications, and compensation of a recorder or municipal judge for the City of Tuscaloosa.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 613, Title 62, Code of Alabama of 1940, is amended to read: "The commission board shall elect some person who is learned in the law to act as recorder or municipal judge. The recorder or municipal judge shall try all cases arising from the violation of ordinances or other laws over which such court has jurisdiction. The term of office, compensation, and qualifications of the recorder or municipal judge, shall be fixed and determined by the commission board."

HENRY H. MIZE,

State Senator from the 11th Senatorial District.

9-16-23-30-4tc

I hereby certify that the attached notice was published in The Tuscaloosa News once a week for four consecutive weeks; viz, April 9, 16, 23, 30, 1947.

KARL L. ELEBASH, JR.

Subscribed and sworn to before me on this the 26th day of May, 1947.

LILLA COLLINS,

Notary Public.

Also:

By Mr. Mize:

S. 159. To fix the term of office of the Tax Collector of Tuscaloosa County, Alabama, and to provide for his election.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that application will be made at the next regular session of the Legislature of Alabama for the passage of a bill, which in substance will be as follows:

A BILL TO BE ENTITLED AN ACT

To fix the term of office of the Tax Collector of Tuscaloosa County, Alabama, and to provide for his election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That after the expiration of the present term of the present incumbent of the office of Tax Collector of Tuscaloosa County, Alabama, and beginning on the first day of October, 1949, the term of office of the Tax Collector of Tuscaloosa County, Alabama, shall be for a period of four years, and he shall hold office until his successor is elected and qualified.

Section 2. There shall be elected at the general election in November 1948, and every four years thereafter, a Tax Collector for Tuscaloosa County, Alabama, who shall perform such duties as are now prescribed by law, or as may hereafter be provided by law, and whose term of office shall be for four years from the first day of October next succeeding his election, and until his successor is elected and qualified.

Section 3. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 4. This Act shall take effect immediately upon its approval by the Governor.

HENRY H. MIZE,
State Senator from the 11th Senatorial District.

10-17-24 May 1-4tc

I hereby certify that the attached notice was published in The Tuscaloosa News once a week for four consecutive weeks; viz, April 10, 17, 24, May 1, 1947.

BRUCE SHELTON,
Publisher.

Subscribed and sworn to before me on this the 19th day of May, 1947.
LILLA COLLINS,
Notary Public.

Also:

By Mr. Mize:

S. 158: To fix the term of office of the Tax Assessor of Tuscaloosa County, Alabama, and to provide for his election.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that application will be made at the next regular session of the Legislature of Alabama for the passage of a bill, which in substance will be as follows:

A BILL
TO BE ENTITLED
AN ACT

To fix the term of office of the Tax Assessor of Tuscaloosa County, Alabama, and to provide for his election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That after the expiration of the present term of the present incumbent of the office of Tax Assessor of Tuscaloosa County, Alabama, and beginning on the first day of October, 1949, the term of office of the Tax Assessor of Tuscaloosa County, Alabama, shall be for a period of four years, and he shall hold office until his successor is elected and qualified.

Section 2. There shall be elected at the general election in November, 1948, and every four years thereafter, a Tax Assessor for Tuscaloosa County, Alabama, who shall perform such duties as are now prescribed by law, or as may hereafter be provided by law, and whose term of office shall be for four years from the first day of October next succeeding his election, and until his successor is elected and qualified.

Section 3. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 4. This Act shall take effect immediately upon its approval by the Governor.

HENRY H. MIZE,
State Senator from the 11th Senatorial District.

10-17-24 May 1-4tc

I hereby certify that the attached notice was published in The Tuscaloosa News once a week for four consecutive weeks; viz, April 10, 17, 24, May 1, 1947.

BRUCE SHELTON,
Publisher.

Subscribed and sworn to before me on this the 19th day of May, 1947.
LILLA COLLINS,
Notary Public.

Also:

By Mr. Wright:

S. 150. To alter and re-arrange the boundary lines of the City of Talladega, Alabama and to describe the area included in such boundary lines and within the corporate limits of said City of Talladega, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application to the Legislature will be made for passage and approval of the following local Act:

"AN ACT

To alter and re-arrange the boundary lines of the City of Talladega, Alabama, and to describe the area included in such boundary lines and within the corporate limits of said City of Talladega, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA

SECTION 1. That the boundary lines of the City of Talladega in the County of Talladega in the State of Alabama be altered and re-arranged so that the City of Talladega shall include in its corporate limits the territory described as follows, to-wit:

All of Section Fourteen bounded as follows: Beginning at the Southwest corner of said Section and running North along the West boundary line 1,098.44 feet, thence North 64 degrees 3 minutes 30 second East, a distance of 1,419.93 feet, thence North 25 degrees 48 minutes 30 seconds West, a distance of 535.98 feet, thence North 64 degrees 11 minutes 30 seconds East, a distance of 950 feet, thence South 25 degrees 48 minutes 30 seconds East, a distance of 318 feet, thence North 64 degrees 11 minutes 30 seconds East, a distance of 1,308.20 feet, thence South 25 degrees 48 minutes 30 seconds East, a distance of 2,439.50 feet, thence South 80 degrees 25 minutes 30 seconds West, a distance of 53.70 feet, thence South 11 minutes West, a distance of 711.63 feet to the South boundary line of Section Fourteen, thence West along said South boundary line to point of beginning, that part of East half of Section Fifteen bounded as follows: Beginning at the Southeast corner of Section Fifteen and running Westerly along the South boundary line of said Section, a distance of 2,627.20 feet to the East side of Jackson Trace road, thence North 19 degrees 37 minutes East, a distance of 599.33 feet, to the beginning of a curve, the radius of which is 318.31 feet, thence along said curve to the right a distance of 150.56 feet, thence North 46 degrees 43 minutes East, a distance of 248.01 feet, thence North 41 degrees 15 minutes 30 second East, a distance of 148.12 feet, thence North 35 degrees 39 minutes 30 seconds East, a distance of 196.58 feet, to the beginning of a curve, the radius of which is 243.81 feet, thence along said curve to the left, a distance of 246.95 feet, thence North 22 degrees 23 minutes West, a distance of 151.60 feet, thence North 51 minutes 30 seconds East, a distance of 1,088.46 feet, thence South 87 degrees 27 minutes 30 seconds East, a distance of 1,016.73 feet, thence North 2 degrees 32 minutes 30 seconds East, a distance of 348.59 feet, thence South 87 degrees 27 minutes 30 seconds East, a distance of 525 feet, thence, South 2 degrees 32 minutes 30 seconds West, a distance of 348.59 feet, thence South 87 degrees 27 minutes 30 seconds East, a distance of 450 feet, to a point on the East boundary line of said Section Fifteen, which point is 2,668.89 feet South 48 minutes West, from the Northeast corner of said Section Fifteen, thence South along the East boundary line of Section Fifteen 2,668.89 feet to point of beginning, the Southeast quarter of Section Twenty-one, the East half of Northeast quarter of Section Twenty-two, all that part of the Northwest quarter of the Northeast quarter and Northeast quarter of Northwest quarter of Section Twenty-two bounded as follows: Beginning at the Northeast corner of the Northwest quarter of Northeast quarter of said Section Twenty-two and running South along the East boundary line of said Quarter a distance of 331.20 feet, thence South 77 degrees 59 minutes West, a distance of 1,479.60 feet to the East side of the Jackson Trace road, thence Northerly along the East side of said Jackson Trace to the North boundary line of Section Twenty-two, thence East along said North boundary line 2,627.20 feet to point of beginning, the South half of Section Twenty-two, all that part of the Northwest quarter of Section Twenty-three lying West of the East boundary of the Brecon Access road which is an extension of Seventeenth Street, the Southwest quarter and South half of the Southeast quarter of Section Twenty-three, all of Section Twenty-six, all of Section Twenty-seven,

the East half of Section Twenty-eight, all that portion of the Northeast quarter of the Northeast quarter of Section Thirty-three lying East of the Talladega and Sylacauga Public Road, the North half of the Northwest quarter and the North half of the Northeast quarter of Section Thirty-four, and the South half of the Northeast quarter of Section Thirty-four, lying East of the extension of Spring Street, and the North half of the Northwest quarter and the Northwest quarter of the Northeast quarter of Section Thirty-five, all of the foregoing being in Township Eighteen South, Range Five East; such area to be the area of the City of Talladega, Alabama.

SECTION 2. This Act shall in no wise affect, change or alter the Talladega School District as heretofore fixed in Section 2 of an Act of the Legislature of Alabama approved June 28, 1945 and recorded in Local Acts of Alabama of 1945 at Page 115 and the School District of the City of Talladega shall remain as heretofore fixed by said above mentioned Act of the Legislature.

SECTION 3. That if any provision or paragraph of this Act should be declared unconstitutional by the courts that it will in no way affect the other provisions or paragraphs of said Act.

SECTION 4—That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

SECTION 5—That this Act shall take effect immediately upon its passage and approval by the Governor.”

ml-22

THE STATE OF ALABAMA TALLADEGA COUNTY.

Personally appeared before me, a Notary Public in and for said County, Cecil Hornady, who being duly sworn according to law, deposes and says that he is the Editor of the Talladega News a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues hereof dated as follows: May 1, 1947, May 8, 1947, May 15, 1947, May 22, 1947.

Printer's Fee, \$43.79

CECIL HORNADY.

Subscribed and sworn to before me this 30th day of May 1947.

(SEAL)

A. R. DECATUR.

Also:

By Mr. Fite:

S. 131. To amend Sections 1 and 3 of an Act entitled “An Act To abolish the office of Deputy Solicitor of Marion County, and to create in lieu thereof the office of County Solicitor of Marion County: to provide for said County Solicitor and for his election; and prescribe his term of office, powers, duties, jurisdiction and compensation”, approved May 15, 1943.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR PASSAGE OF LOCAL LAW.

TO WHOM IT MAY CONCERN:

In pursuance of the requirements of Section 106 of the Constitution of 1901, notice is hereby given that application will be made to the Legislature of Alabama, during the 1947 regular session thereof, which convenes on the first Tuesday in May, 1947, for the enactment of a local law in substance as follows:

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Sections 1 and 3 of An Act entitled "An Act To abolish the office of Deputy Solicitor of Marion County, and to create in lieu thereof the office of County Solicitor of Marion County; to provide for said County Solicitor and for his election; and prescribe his term of office, powers, duties, jurisdiction and compensation", approved May 15, 1943, be and the same hereby are amended so as to read as follows:

"Section 1. That the office of Deputy Solicitor of Marion County is hereby abolished, and there is hereby created in lieu thereof the office of County Solicitor of Marion County. At the general election in 1946, and every four years thereafter, the County Solicitor of Marion County shall be elected by the qualified voters of Marion County, and the County Solicitor so elected shall hold office for four years, commencing on the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. The County Solicitor before entering upon the duties of said office shall take the same oath required by law to be taken by the Solicitors of the Circuit Courts of Alabama. The County Solicitor shall receive an annual salary of eighteen hundred dollars, payable in twelve equal installments, from the general fund of the county."

"Section 3. The County Solicitor shall prosecute all criminal cases in the County Court and shall assist the Circuit Solicitor in prosecuting all appeals therefrom to the Circuit Court, and shall have all the powers of, and shall perform all other duties now or hereafter provided by general law for, Deputy Solicitors. In addition to his other duties he shall, without additional compensation, act as guardian ad litem in all causes and proceedings in all the courts of Marion County wherein a guardian ad litem may be required."

Section 2. This Act shall take effect upon its approval by the Governor.

This, the 14th day of April, 1947.

4-17-24—5-1-8

RANKIN FITE.

PUBLISHERS AFFIDAVIT

STATE OF ALABAMA
MARION COUNTY

Before me, B. H. Carpenter, Clerk of the Circuit Court in and for said County, in State aforesaid, personally appeared F. B. McKENZIE, who, being duly sworn, doth depose and say that he is publisher of THE MARION COUNTY NEWS, a weekly newspaper published in the Town of Hamilton, State and County aforesaid, and that a certain advertisement (a true copy of which is hereto attached) has been published in said newspaper for four consecutive weeks prior to the 28th day of May, 1947, and the respective numbers and dates of said newspaper in which said publication was made are the following, to-wit:

No. 25 the 17th day of April, 1947

No. 26 the 24th day of April, 1947

No. 27 the 1st day of May, 1947

No. 28 the 8th day of May, 1947

And said publication was made without cost to the State of Alabama.

H. B. McKENZIE,
Publisher.

Sworn to and subscribed before me, this 28th day of May, 1947.

(SEAL) B. H. CARPENTER,
Clerk of the Circuit Court.

Also:

By Mr. Fite:

S. 132. To amend Sections 2 and 8 of An Act entitled "An Act To further regulate the County Court of Marion County, Alabama;

to define its jurisdiction and powers; to provide for a judge of said Court and for his election, and to prescribe his term of office, powers, jurisdiction, duties and compensation; to make said Court a court of record, and to provide that said court shall be open at all times for the trial of cases and the transaction of business; and to prescribe rules and procedure for said Court," approved May 15, 1943.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR
PASSAGE OF LOCAL LAW.

TO WHOM IT MAY CONCERN:

In pursuance of the requirements of Section 106 of the Constitution of 1901, notice is hereby given that application will be made to the Legislature of Alabama, during the 1947 regular session thereof, which convenes on the first Tuesday in May, 1947, for the enactment of a local law in substance as follows:

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Sections 2 and 8 of An Act entitled "An Act To further regulate the County Court of Marion County, Alabama; to define its jurisdiction and powers; to provide for a judge of said Court and for his election, and to prescribe his term of office, powers, jurisdiction, duties and compensation; to make said Court a court of record, and to provide that said Court shall be open at all times for the trial of cases and the transaction of business; and to prescribe rules and procedure for said Court", approved May 15, 1943, be and the same hereby are amended so as to read as follows:

"Section 2. At the general election in 1946, and every six years thereafter, the Judge of said County Court shall be elected by the qualified voters of Marion County, and the Judge so elected shall hold office for the term of six years from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. The Judge of said County Court before entering upon the duties of said office shall take the oath required by law to be taken by Judges of the Circuit Courts of Alabama. He shall receive an annual salary of twenty-four hundred dollars, payable in twelve equal installments, from the general fund of the County."

"Section 8. The Judge of said County Court shall have jurisdiction in habeas corpus proceedings to the same extent that Probate Judges and justices of the peace now have; he shall have jurisdiction of bastardy proceedings and of matters involving the custody of children; he shall have the same power and authority to admit to bail that is by law conferred on Circuit Judges and Probate Judges; and he shall have the same powers and authority that are now, or may hereafter by law be, conferred on the Judges of the County Courts of this State. In addition to his other duties, he shall, with respect to the issuance of attachments, perform the duties imposed and exercise the authority conferred upon Judges of Probate by Article 1 of Chapter 20 of Title 7 of the 1940 Code of Alabama."

Section 2. This act shall take effect upon its approval by the Governor. This, the 14th day of April, 1947.

4-17-24—5-1-8

RANKIN FITE.

PUBLISHERS AFFIDAVIT

STATE OF ALABAMA
MARION COUNTY

Before me, B. H. Carpenter, Clerk of the Circuit Court in and for said County, in State aforesaid, personally appeared F. B. McKENZIE, who, being duly sworn, doth depose and say that he is publisher of THE MARION COUNTY NEWS, a weekly newspaper published in the Town of Hamilton, State and County aforesaid, and that a certain advertisement (a true copy of which is hereto attached) has been published in said newspaper for four consecutive weeks prior to the 28th day of May, 1947, and the respective numbers and dates of said newspaper in which said publication was made are the following, to-wit:

No. 25 the 17th day of April, 1947

No. 26 the 24th day of April, 1947

No. 27 the 1st day of May, 1947

No. 28 the 8th day of May, 1947

And said publication was made without cost to the State of Alabama.

F. B. McKENZIE,

Publisher.

Sworn to and subscribed before me, this 28th day of May, 1947.

B. H. CARPENTER,

Clerk of the Circuit Court.

(SEAL)

J. E. Speight,

Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

- S. 71. Ways and Means
- S. 160. Local Legislation
- S. 159. Local Legislation
- S. 158. Local Legislation
- S. 150. Local Legislation
- S. 131. Local Legislation
- S. 132. Local Legislation

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House.

H. 47. To amend Sections 10 and 11 of an Act approved August 3, 1927, entitled an Act to establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all the jurisdiction of the County Court of Tuscaloosa County, Ala-

bama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court.

J. E. Spiegth,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Gaither:

S. 83. To repeal an Act to provide for the establishment, discontinuance, construction, use, working, maintaining and location of the public roads and bridges in Cleburne County, Alabama: To provide for the appointment of a Road Supervisor in and for said County and to prescribe his qualifications, duties, and to fix his salary and provide for the method of his election or appointment, approved August 22, 1927.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

is hereby given that a bill will be introduced in the Legislature of Alabama during the 1947 Session thereof, which bill is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To repeal an Act to provide for the establishment, discontinuance, construction, use, working, maintaining and location of the public roads and bridges in Cleburne County, Alabama:

To provide for the appointment of a Road Supervisor in and for said county and to prescribe his qualifications and duties, and to fix his salary and provide for the method of his election or appointment, approved August 22, 1927.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION ONE: That an Act entitled An Act to provide for the establishment, discontinuance, construction, use, working, maintaining, and

location of the public roads and bridges in Cleburne County, Alabama, and to provide for the appointment of a Road Supervisor in and for said County and to prescribe his qualifications and duties, and to fix his salary and provide for the method of his election or appointment approved August 22, 1927, be, and the same is hereby repealed.

SECTION TWO: That this Act shall go into effect upon its approval by the Governor.

STATE OF ALABAMA
CLEBURNE COUNTY

Before me, Myrl Wager, a Notary Public and Ex-Officio Justice of the Peace, in and for said State and County, this day personally appeared Dan W. Hollis Jr., who being by me first duly sworn deposes and says that he is the Publisher of The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama; that the above and foregoing notice was published once a week for four consecutive weeks in The Cleburne News, on to-wit: April 3, 1947, April 10, 1947, April 17, 1947, and April 24, 1947.

DAN W. HOLLIS JR.

Sworn to and subscribed before me this the 5th day of May, 1947.

MYRL WAGER,

(SEAL)

Notary Public and Ex-Officio Justice of the Peace.

Also:

By Mr. Carter:

S. 101. To designate fees, compensation of registrars in all counties having a population of not less than 100,000 nor more than 140,000 population according to the last or any succeeding Federal census.

Also:

By Mr. Boutwell:

S. 93. To repeal Act Number 166 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligations holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

Also:

By Mr. Boutwell:

S. 92. To repeal Act Number 167 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligation holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

Also:

By Mr. Lowe:

S. 7. To amend Section 72 of Title 18, Code of Alabama 1940.
J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read on time and referred to appropriate standing committee as follows:

- S. 83. Local Legislation
- S. 101. Local Legislation
- S. 93. Local Legislation
- S. 92. Local Legislation
- S. 7. Local Government

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 43. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Greene County; providing for the assessment,

collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Also:

H. 47. To amend Sections 10 and 11 of an Act approved August 3, 1927, entitled an Act to establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may rescue himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court.

Also:

H. 109. To amend Section 29 of Title 60, Code of Alabama 1940, as amended by an Act approved May 15, 1943, entitled, "An Act to amend Sections 29 and 35 of Title 60 of the 1940 Code of Alabama."

Also:

H. 117. To amend Section 2 of an Act approved May 28, 1943, fixing the salary of the Deputy Circuit Clerk of Russell County, Alabama, and providing the method of payment thereof.

Also:

H. 118. To establish for the municipality of Phenix City a pension and relief system for the benefit of fireman and policeman: creating for that purpose a fund, the revenues of which shall be derived from deductions from the salaries of participating firemen and policemen, from contributions made by the city, from fees, donations, rewards, and gratuities paid participating firemen and policemen for special services, from the annual privilege license tax on fire and marine insurance companies, from receipts by the city of income from contrabrand liquor, and from penalties, forfeitures, gifts, and other sources; imposing specific duties upon

the city clerk and city attorney in connection with the administration of the Act; and prescribing penalties for violations.

Also:

H. 119. To authorize the Sheriff of Russell County to appoint an additional deputy sheriff; to fix the salary of the deputy, and to require him to give bond.

Also:

H. 120. To provide for the municipality of Phenix City a civil service system governing the appointment removal, salaries, tenure, and official conduct of employees and officers of the police and fire departments of the city, defining violations of the Act, and imposing penalties for violations.

Also:

H. 124. To repeal an Act approved September 9, 1927, entitled "An Act to provide for the establishment and creation of a water-works Commission for the City of Phenix City: To prescribe their number and provide for their election or appointment, and prescribe their terms of office: to prescribe their qualifications; To prescribe their oath of office; To fix said Commission's duties and powers: To provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties: To prescribe and fix the meetings of said Commission: To prescribe the name of said Commission: To fix the bond of the Clerk and Treasurer of said Commission: To provide for and prescribe the duties and powers of said Commission; To provide for the employees of said Commission: To prescribe the manner of execution of contracts by said Commission: To provide a seal for said Commission: To provide that said Commission may make temporary loans: To provide for an Attorney for said Commission: To provide for the establishment of an office by said Commission: To provide for the auditing of the books and accounts of said Commission and the making of reports of the financial condition of said Commission to the governing authorities of said City of Phenix City, and to repeal all laws in conflict herewith.

Also:

H. 125. To create a hospital commission for the City of Phenix City, Alabama, to provide its duties, powers and authority to operate hospitals and to provide a plan for hospitalization by collection of fees on a weekly or monthly basis from those desiring hospital service.

Also:

H. 128. To allow the Sheriff of Cleburne County, Alabama, two additional deputies; to provide for the fixing of the salaries of said deputies and to make the same payable out of the General Funds of Cleburne County in monthly installments.

Also:

H.J.R. 16. Relative to creating a special joint committee of the House of Representatives and the Senate for the purpose of promulgating and enforcing in Alabama a code of minimum building standards.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

She Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills and House Joint Resolution, the title to which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following Resolutions were introduced:

By Mr. Wallace:

H.J.R. 19. To express appreciation to the participants of the Southern Governors' Conference for their efforts to equalize nationally the freight rate structure of railroads, and to pledge the support of the Legislature of Alabama to further efforts in the struggle to equalize freight rates.

WHEREAS the railroad freight rate schedules in the Southern Territory for most manufactured goods, which have been thirty-three to thirty-seven per cent higher than those of the Official (Northern) Territory, have impeded the development of the economic capacity of the South, and

WHEREAS the Southern Governors' Conference has concentrated its energies since 1934 for the purpose of removing this discrimination against the South, and

WHEREAS the untiring efforts of the Southern Governors' Conference have been rewarded by an order of the Interstate Commerce Commission, sustained by the United States Supreme Court, ordering a "uniform freight classification" for railroads in the nation and reducing Southern Territory "class rates" by ten per cent, and

WHEREAS the order of the Interstate Commerce Commission represents ~~but~~ the first important milestone in the struggle to equalize over the nation the freight rate structure of railroads, and

WHEREAS it is the consensus of the Legislature of Alabama that the people of every region should have the right to develop their economy free from discrimination, that a large part of the national freight rate structure of railroads still violates this right,

and that the United States would be more productive if free to operate without artificial regionalized freight rate handicaps, therefore BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, THAT:

1. The Legislature of Alabama applauds and expresses its appreciation to the participants of the Southern Governors' Conference for their efforts to equalize the national freight rate structure of railroads.

2. The Legislature of Alabama urges that further effort be made to equalize completely railroad freight rate schedules throughout the nation and pledges its full cooperation and support to such an effort.

3. The Clerk of the House of Representatives is directed to transmit a copy of this resolution to the Governor of each State participating in the Southern Governors' Conference.

On motion of Mr. Wallace the rules were suspended and H.J.R. 19 was adopted.

By Mr. Stone:

H.J.R. 20. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn on Friday, July 18th, 1947, they adjourn to meet again at 10 o'clock A.M. on Tuesday, September 9th, 1947.

The above and foregoing H.J.R. 20 was read one time and referred to the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Taylor (Autauga):

H. 325. To create the office of County Solicitor of Autauga County, Alabama; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; to define his qualifications; and to repeal all general and local laws in conflict herewith so far as they relate to Autauga County.

By Mr. Taylor (Autauga):

H. 326. To Amend Section 5 of an Act Entitled "An Act To Establish a Board of Revenue for Autauga County and to define the Powers and Duties of said Board of Revenue" Approved February 27, 1879.

By Mr. Taylor (Autauga):

H. 327. To authorize and empower the Judge of Probate of Autauga County, Alabama, to appoint a Chief Clerk, and to fix the

salary and to provide the method of payment of salary of said Chief Clerk.

By Mr. Taylor (Autauga):

H. 328. To abolish the office of deputy solicitor of Autauga County, Alabama, to fix the time when such office shall be abolished, and to provide that such bill shall not affect any general, special, or local laws except as herein provided for.

By Mr. Taylor (Autauga):

H. 329. To authorize and empower the Board of Revenue of Autauga County, Alabama, to expend County Funds not exceeding \$3000.00 per annum for purposes not otherwise provided by law.

By Messrs. Thomas and Wallace:

H. 330. To authorize the county governing body of any county having a population of not less than 32,000 and not more than 42,000 inhabitants and two courthouses to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

By Mr. Mitchell:

H. 331. To amend Sections 1 and 4 of Act 250, House Bill 295, which became law on August 30, 1939, under Section 125 of the Constitution and which relate to the creation of a Board of Revenue in and for Cherokee County, Alabama; providing for the nomination and election of members of the Board of Revenue by districts.

By Mr. Mitchell:

H. 332. To abolish the Law and Equity Court of Cherokee County, Alabama, making provision for the transfer of pending cases and causes.

By Mr. Mitchell:

H. 333. To increase the salary of the Judge of Probate of Cherokee County, Alabama, because of extra duties imposed upon him by abolishment of the Law and Equity Court of Cherokee County.

By Mr. Mitchell:

H. 334. To amend Section 2 of Act 162, approved June 17, 1943, which relates to salaries and allowances for certain officials and employees of Cherokee County.

By Messrs. Mathison and Knight:

H. 340. To re enact Act 123, approved June 12, 1935, entitled, "An Act To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines thereof; by showing the beats composing such Commissioners Districts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe

their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors. to require said Commissioners to give bond and to further regulate and prescribe the powers, authority and duties of said Commissioners Court and to fix penalties for the violation of this Act."

By Messrs. Mathison and Knight:

H. 341. To abolish the office of County Road Supervisor for Henry County, Alabama, as created by Act No. 205, approved November 4, 1932, and to provide that the functions and duties of such officer shall be performed by the county engineer.

By Mr. Richardson:

H. 344. To allow the Sheriff of Lawrence County, Alabama an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments.

By Messrs. Callahan and Shelton:

H. 381. To amend Act. No. 593, Senate Bill 329, approved July 9, 1943, entitled, "An Act To create in all cities in the State of Alabama which have a population exceeding twenty-six thousand and not exceeding thirty-six thousand inhabitants according to the latest federal decennial census, or which shall have such population according to any such census that may be taken hereafter, a fund to be known as Firemen's and Policemen's Pension and Relief Fund for the benefit and relief of disabled sick, retired and other members of such fire and police departments and the widows, certain of the minor children and dependent widowed mothers of certain deceased members of the fire and police departments of such cities, and to provide for the use, management, control, and administration of such funds; to provide for the raising of such funds and sources thereof; to provide for the payment into such funds of a proportion of the monthly salary of such members of the fire departments and police departments of such cities as are eligible to participate in the benefits of such funds; to provide for the payment into such funds of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies, including mutual and industrial and industrial fire insurance companies, doing business within such cities, and for making a sworn report by such fire insurance companies of such premiums to the Board of Trustees of such funds, and to prescribe the penalty for failure to make such payments and report, and for enforcing such penalty; to provide for sworn statements to be made to the city clerks of such cities by all persons, firms, or corporations which conduct a fire insurance agency or brokerage business within such cities, and to prescribe the penalty for failure to make and file such statements and for enforcing such penalty;

to provide for the payment into such funds certain witness fees and certain rewards and gratuities received by firemen and policemen; to provide for the payment into such funds of all liquor seizure fees and all amounts received by the City from the Alcohol Beverage Control Board for confiscated liquors; to authorize the Board of Trustees to accept money and property for said funds; to authorize the governing bodies of such cities to make appropriations to such fund out of the city treasury; to create in such cities a Board of Trustees of such Firemen's and Policemen's Pension and Relief Fund; to provide for the organization of such Board of Trustees and to designate certain members of said Board and provide the time and method of electing the remaining members thereof and their term of office; to designate and provide for the selection of officers and agents of said Board; to declare the said Board of Trustees the trustees of such funds; to prescribe the powers, authority and duties of such Board of Trustees, its officers and agents; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire departments and police departments and the widows, certain minor children, and dependent widowed mothers of certain deceased members thereof; to provide for the retirement and reinstatement of members of such fire and police departments; to prescribe the duties of the city attorney and city physician in connection with said Board of Trustees and said funds; to provide for medical examination and diagnosis of the physical and mental condition of such members of fire and police departments; to provide that no person shall have any vested or contractual rights in said fund, but that such fund shall be held subject to the power of the Legislature; to designate the treasurer of such fund and his duties; to provide that said fund and all benefits received therefrom shall be exempt from levy, execution, garnishment, attachment or seizure of any kind; to provide the time of taking effect of this Act."

By Mr. Richardson:

H. 345. To allow the Members of the Board of Education of Lawrence County, Alabama, pay for not more than sixteen days in any one year, and to fix their salary and expenses, payable from the General School Funds of Lawrence County, Alabama.

By Mr. Richardson:

H. 346. To allow the Sheriff of Lawrence County, Alabama, the sum of \$50.00 per month for the maintenance, upkeep, operation and repair of an automobile to be used in the performance of his official duties and to make the same payable out of the General Funds of Lawrence County in equal monthly installments.

By Messrs. Meeks, Beatty, Dumas, Adams (Jefferson), Kaul, Gibson, and Sadler:

H. 349. To amend section 84, Title 51, Code of Alabama 1940; to provide for the claiming of homestead exemptions upon

forms required by the tax assessor; to make it the duty of the tax assessor to prepare and have furnished such forms; to prove that a person who has once made claim of such exemption shall not be required thereafter to repeat such claim so long as the property remains exempt; to require the heir, grantee, assignee, or successor of a prson who previously made a claim of such exemption, to make a claim of exemption in the name of such heir, grantee, assignee, or successor in order to effecuate an exemption thereof; to require the taxpayer to notify the tax assessor when property which has previously been claimed and allowed as exempt is no longer exempt, and to require the tax assessor thereupon to list such property for taxation; and to authorize the assessment for state purposes with penalty as an escape for a period not exceeding five years of any property upon which the ad valorem tax for state purposes has not been paid; to provide for the severability of the provisions of this act in the event that any provision is held unconstitutional or invalid; and to provide for the effective date of this act.

By Messrs. Adams (Jefferson), Beatty, Dumas, Gibson, Kaul, Meeks, and Sadler:

H. 352. To amend Title 62, Section 618, of the Code of Alabama, 1940.

By Messrs. Adams (Jefferson), Beatty, Dumas, Gibson, Kaul, Meeks, and Sadler:

H. 353. To repeal Section 597, Title 62, Code of Alabama 1940, relating to the semi-annual publication of lists of persons drawing compensation from certain cities and towns.

By Messrs. Sightler, Busby, Pinkston, and Ingalls:

H. 360. To provide for the appointment of a deputy register of the Circuit Court of Montgomery County, and to prescribe the duties and fix the compensation and salary of such deputy register.

By Messrs. Sightler, Busby, Pinkston, and Ingalls:

H. 361. To amend Section 1 of Act 177, approved June 17, 1943, which fixes the compensation of the sheriff of Montgomery County and provides for help and assistants and other expense in the office of the sheriff, by increasing the allowance for help and assistants, and increasing the compensation for the sheriff.

By Messrs. Sightler, Busby, Pinkston, and Ingalls:

H. 362. To provide for the appointment of a deputy clerk of the Circuit Court of Montgomery County, and to prescribe the duties and fix the compensation and salary of such deputy clerk.

By Messrs. Ingalls, Pinkston, Busby, and Sightler:

H. 367. To fix the compensaiton of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide for clerical help and other assistance to said

Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for other contingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require said Judge of Probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by law to be collected by said Judge of Probate as other moneys belonging to said county are paid.

By Messrs. Ingalls, Busby, Pinkston, and Sightler:

H. 368. To fix the Salary of the Deputy Clerk of the Court of Common Pleas of Montgomery.

By Messrs. Ingalls, Pinkston, Sightler, and Busby:

H. 369. To amend section 187 of Title 13, Code of Alabama of 1940.

By Messrs. Adams (Jefferson), Beatty, Dumas, Gibson, Kaul, Meeks, and Sadler:

H. 372. Relating to sentences imposed by the Recorder's Court of Birmingham, Alabama; and, without limiting the generality of the foregoing, to provide for the suspension of execution, the execution after suspension, and the remission of, such sentences or any part thereof.

By Messrs. Black and McDaniel:

H. 380. To provide for clerical assistance and office equipment and supplies for the office of the Judge of Probate in all counties in this State having a population of not less than 63,500 and not more than 66,000 according to the last or any subsequent Federal census; and to provide for payment for such clerical assistance and office equipment and supplies out of the general fund of such counties.

By Messrs. Duffee and Sellers:

H. 384. To amend Sections 1 and 2 of an Act, entitled an Act "To provide and require the Sheriff of Tallapoosa County, Alabama, to appoint and maintain a regular Deputy Sheriff at each of the following places in said County, to-wit: Alexander City, Dadeville, Daviston, and East Tallassee; to prescribe the duties of such Deputies, to fix their terms of office, to provide for their compensation and the payment thereof by said County, and to fix the amount of such compensation, approved July 17, 1931" as amended by an Act of the Legislature, approved September 9, 1935, and as further amended by an Act of the Legislature, May 20th, 1943.

By Messrs. Sightler, Busby, Pinkston, and Ingalls:

H. 363. To amend Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on June 28, 1940, entitled an Act: "To authorize and empower the Board of Revenue of Montgomery County, Alabama, in its discre-

tion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$600.00 per annum to the support of the Montgomery Museum of Fine Arts. Said sum to be paid in equal monthly installments."

The above and foregoing bills were severally read a second time and placed on the calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wallace (By request):

H. 386. To amend Section 267, Title 13, Code of Alabama of 1940, as amended by an Act of the Legislature of Alabama approved July 10, 1943.

Local Government.

By Mr. White (Covington) (with notice and proof):

H. 387. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Lockhart, Covington County, Alabama.

Local Legislation.

Notice and Proof H. 387:

NOTICE

Notice is hereby given, pursuant to Section 106 of the Constitution of Alabama, that a bill will be introduced at the next regular session of the Legislature of Alabama, meeting May 6, 1947, in words and substances as follows:

AN ACT

To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Lockhart, Covington County, Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the corporate limits of the Town of Lockhart be and the same are hereby extended, altered and re-arranged so as to include, in addition to the present territory within said corporate limits, the territory described as follows: Beginning at the Northeast (NE) corner of Southeast Quarter of Southeast Quarter (SE $\frac{1}{4}$ th of SE $\frac{1}{4}$ th) of Section 28, and run thence South along section line one (1) mile to the Southeast (SE corner of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ th of SE $\frac{1}{4}$ th) of Section 33; thence west to the Southwest (SW) corner of the Northeast Quarter of Southeast Quarter (NE $\frac{1}{4}$ th of SE $\frac{1}{4}$ th) of Section 33; thence north seven-eighths ($\frac{7}{8}$ ths) of a mile to a point; thence west one-fourth ($\frac{1}{4}$) of a mile; thence north one-eighth ($\frac{1}{8}$ th) of a mile to the northwest corner of the Southwest Quarter of Southeast Quarter (SW $\frac{1}{4}$ th of SE $\frac{1}{4}$ th) of Section 28; thence east one-half ($\frac{1}{2}$) of a mile to the point of beginning;—all in Township One North (T.1.N.) of Range Seven-

teen East (R. 17. E.), Covington County, Alabama. Said territory above described contains a total of one hundred eighty (180) acres, more or less.

Sectoin 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act is to take effect upon approval of the Governor.

—4-24-4tc

STATE OF ALABAMA COVINGTON COUNTY

Before me, H. A. Kelley, a notary public in and for said county and state, personally appeared Ben S. Woodham, who being first duly sworn by me, deposes and says that he is editor and publisher of the *Floral* News, a weekly newspaper of general circulation, published in *Floral*, Covington County, Alabama, which has been mailed under the second class mailing privileges for fifty-two consecutive weeks and more next prior to the publication of the legal notice hereto attached; and affiant further says that the legal notice hereto attached has been published in said *Floral* News once a week for four consecutive weeks in the issues of said paper appearing on April 24, May 1, May 8 and May 15, all in the year, 1947.

BEN S. WOODHAM.

Subscribed and sworn to before me this 9 day of June, 1947.

H. A. KELLEY,

(SEAL)

Notray Public.

My Commission Expires July 31, 1950.

By Mr. Coburn (with notice and proof):

H. 388. To create the Municipal Utilities Board of Muscle Shoals; to provide for its membership; to appoint the members to compose the original Board; to provide the qualifications of members of the Board; to provide the oath of office of members of the Board; to provide the term of office and method of election of members of the Board; to provide the method of impeaching and removing from office members of the Board; to provide the method of filling vacancies in the Board; to provide the compensation for the members of the Board; to provide for the organization of the Board; to provide for the meetings of the Board; to provide for copies of the records of the Board to be certified by the Secretary to be competent evidence in all courts; to provide the authority and duties of the said Board; to provide for the management and control of the Municipal Electric Distribution System of the Town of Muscle Shoals by said Board; to provide for the employment by the Board of managers, clerks, stenographers, attorneys, linemen, repairmen, and any other employees found necessary to be employed by said Board; to provide for official bonds of officers and employees of the Board handling money; to provide for the collection, deposit and distribution of funds received from the operation of said Electric Distribution System; to provide for bond of depository of funds of the Board; to provide method of withdrawal of funds of the Board and signing of warrants for the payment of claims; to provide that in any expenditure for any new construction, additions, or replacements to the electric plant, where the amount to be expended is more than \$1,500, the expenditure must be approved by the Board of Commissioners of the Town of Muscle Shoals; to provide for an annual audit and a semi-annual pub-

lication of the financial condition of the system; to provide that said Board shall have the control, management, and operation of any water, gas or other utilities if same should in the future be acquired by the Town of Muscle Shoals; to provide for the management and operation of such other utilities, and to provide for reports of the Board to the Board of Commissioners.

Local Legislation.

Notice and Proof. H. 388:

NOTICE

The following bill will be introduced in the 1947 Legislature:

A BILL TO BE ENTITLED

An act to create the Municipals Utilities Board of Muscle Shoals; to provide for its membership; to appoint the members to compose the original Board; to provide the qualifications of members of the Board; to provide the oath of office of members of the Board; to provide the term of office and method of election of members of the Board; to provide the method of impeaching and removing from office members of the Board; to provide the method of filling vacancies in the Board; to provide the compensation for the members of the Board; to provide for the organization of the Board; to provide for the meetings of the Board; to provide for copies of the records of the Board to be certified by the Secretary to be competent evidence in all courts; to provide the authority and duties of the said Board; to provide for the management and control of the Municipal Electric Distribution System of the Town of Muscle Shoals by said Board; to provide for the employment by the Board of managers, clerks, stenographers, attorneys, linemen, repairmen, and any other employees found necessary to be employed by said Board; to provide for official bonds of officers and employees of the Board handling money; to provide for the collection, deposit and distribution of funds received from the operation of said Electric Distribution System; to provide for bond of depository of funds of the Board; to provide method of withdrawal of funds of the Board and signing of warrants for the payment of claims; to provide that in any expenditure for any new construction, additions, or replacements to the electric plant, where the amount to be expended is more than \$1,500, the expenditure must be approved by the Board of Commissioners of the Town of Muscle Shoals; to provide for an annual audit and a semi-annual publication of the financial condition of the system; to provide that said Board shall have the control management, and operation of any water, gas or other utilities if same should in the future be acquired by the Town of Muscle Shoals; to provide for the management and operation of such other utilities, and to provide for reports of the Board to the Board of Commissioners.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA

Section 1. CREATION OF MUNICIPAL UTILITIES BOARD OF MUSCLE SHOALS, ALABAMA. There is hereby created and established the Municipal Utilities Board of Muscle Shoals, Colbert County, Alabama, to be composed of three members.

Section 2. That the Board of Commissioners of the Town of Muscle Shoals, Alabama, shall immediately upon the passage of this Act proceed

to elect one member of said Municipal Electric Utilities Board to serve until the second Monday in July, 1950 and until his successor is elected and qualified, one member to serve until the second Monday in July, 1952 and until his successor is elected and qualified; and one member to serve until the second Monday in July, 1954 and until his successor is elected and qualified.

Section 3. QUALIFICATION OF MEMBERS OF THE BOARD. No person shall be eligible to membership on said board who is not a qualified elector of the Town of Muscle Shoals, Alabama, or who is an officer of the Town, or an employee thereof, or is a member of the Board of Commissioners, or whose term on the Board of Commissioners has expired within six months prior to his election on the board.

Section 4. OATH OF OFFICE OF MEMBERS OF THE BOARD. Before entering upon the duties of his office, each member of the Board shall take and subscribe the following oath: "I do solemnly swear that I will support the constitution of the State of Alabama, and the constitution of the United States, and that I will faithfully, zealously, and impartially discharge the duties of the office upon which I am about to enter, without fear or favor, for the public welfare; so help me God." The successors to the members of the board named in this Act shall take and subscribe to the same oath.

Section 5. METHOD OF ELECTION AND TERM OF OFFICE OF THE MEMBERS OF THE BOARD. The successors to the members of the Board named in this Act shall be elected by the Board of Commissioners of the Town of Muscle Shoals, Alabama. At the last meeting of the Board of Commissioners of the Town of Muscle Shoals, in June each year that the term of a member of the Board expires in July following, the said Board of Commissioners shall elect the successor of the member of the Board whose term expires on the second Monday in July following and the person so elected shall become a member of the Board on the second Monday in July following and shall hold the position for a period of seven years and until his successor is elected and qualified. A member of the Board may succeed himself if the Board of Commissioners desire to re-elect him. Whenever a vacancy occurs in the Board by resignation, death, or some other cause, the Board of Commissioners shall immediately fill said vacancy by electing another person to the Board, who shall serve for the remainder of the unexpired term of the member he succeeds.

Section 6. ORGANIZATION OF THE BOARD. At the first meeting of the Board after the passage of this Act, the members shall elect one of their number as Chairman and one of their number as Secretary, thereafter the Board shall annually elect from among their number a Chairman and Secretary. Vacancies in the offices of Chairman and Secretary shall be filled by the Board, if and when the same may occur.

Section 7. COMPENSATION OF THE MEMBERS OF THE BOARD. Each member of the Board shall be paid a monthly salary to be fixed by the Board. The compensation to the members of the Board shall be paid in monthly installments from the money received from the operation of the Electric Distribution System.

Section 8. MEETINGS OF THE BOARD. The board shall hold a regular monthly meeting on the second Tuesday of each month and other meetings at such times and places as its members may elect, and the Chairman of the Board of any two members may call the meetings at any time he or they consider that the business demands that a meeting be held. The Chairman and one member or any two members of the Board shall constitute a quorum. A true record of all the proceedings of all meetings of the Board shall be kept by the Secretary. At the call of any member the vote on any pending question shall be taken by ayes and nays, and the same shall be entered on the record. The record of the proceedings of said Board shall be open to the Board of Commissioners and to the public at all times, and a copy from said record, certified by the Secretary, shall be competent evidence in all courts.

Section 9. AUTHORITY AND DUTIES OF THE BOARD. The Board shall have complete control of the public utilities owned by the Town

of Muscle Shoals, and as a part thereof it shall have authority to employ, upon terms to be fixed by the Board, but in no event for a term exceeding one year, and to discharge with or without cause, managers, cashiers, clerks, stenographers, attorneys, linemen, repairmen, laborers, and such other employees as are necessary for the operation of the utility. It shall have the power and authority and it shall be its duty to charge for and collect all accounts due from any service which the utility may furnish to its customers, upon rates to be provided and approved by the Board of Commissioners of the Town of Muscle Shoals, Alabama. The Board shall have the right to delegate to any manager which it may employ the authority to employ and discharge employees which may be needed; to direct their work and to manage, control and operate the public utility of the Town of Muscle Shoals of which he is the manager, and to account to the Board for his acts in so doing, but his authority shall be restricted as the authority of the Board is restricted in this Act.

Section 10. OFFICIAL BONDS OF OFFICERS AND EMPLOYEES. All officers or employees of the Board handling money or exercising authority over property of the Town of Muscle Shoals shall, before entering upon the discharge of their duties, give bond with some Surety Company authorized to do business in the State of Alabama, as Surety and payable to the Town of Muscle Shoals, to be approved by the Board in such penalty as the Board may prescribe conditioned for the faithful discharge of the duties of his office and faithfully to account for all moneys received or property coming into his possession in the capacity of his employment.

Section 11. IMPEACHMENT AND REMOVAL OF MEMBERS OF THE BOARD. Members of the Board may be removed from office in the manner and on the same grounds provided by the general law of this State for the impeachment and removal of officers, as set out in Section 175 of the Constitution of Alabama.

Section 12. ACCOUNTANT, EXPERT, EMPLOYED: DUTIES OF. The Board shall at least once a year appoint an expert Accountant or firm of Accountants who shall make an examination in detail of all books and accounts of the Board to cover the period since the preceding examination, and make a full report in writing, under oath, to the Board of its findings at the Board's first meeting after completion of such report, a copy shall also be furnished the Board of Commissioners, and the same shall be spread upon the minutes of the Board, but the same person or firm shall not be appointed or authorized to make such examination twice in succession. For this service said Account shall be paid such sum as may be agreed upon which is reasonable and proper.

Section 13. REPORTS OF THE BOARD TO BOARD OF COMMISSIONERS. Said Board shall make an annual report to the Board of Commissioners at its first regular meeting in October in each year, showing in detail the receipts and expenditures for the preceding fiscal year; the physical condition of the property under the care of said Board, and any other matters of public interest connected with said Board.

Section 14. PUBLICATION OF RECEIPTS AND DISBURSEMENTS. The Board shall make a semi-annual publication on the second Monday of January and July of each year in a newspaper published in the Town of Muscle Shoals, Alabama, of a report showing the receipts and expenditures of money of the Board specifying generally the source from which received and the purpose for which expended, such publication must also show the entire indebtedness of the public utility of whatever kind and character specifying particularly the amount of bonds outstanding their character and when due.

Section 15. EXPENDITURES FOR CONSTRUCTIONS OR ADDITIONS. No expenditures for any new construction, additions, or replacement to any public utility, or the equipment use by the same, shall be made by the board where the total expense will be more than \$1,500.00 without the consent and approval to the Board of Commissioners of the Town of Muscle Shoals, Alabama.

Section 16. FUNDS, MONEY, ETC. All funds of said Board shall be kept separate from the other funds of the Town and in the Town Depository, and the same shall be withdrawn only in such sums and at such times as the same shall be actually required for the expenditures authorized by law, and only upon warrants signed by an employee of the utility designated by the Board and countersigned by a member of the Board designated by the Board, and issued for claims that have been audited and ordered paid by said Board and for salaries due Board members and employees for work performed and services rendered.

Section 17. COLLECTIONS, DEPOSIT, AND DISTRIBUTION OF MONEY OF THE ELECTRIC DISTRIBUTION SYSTEM. All money collected from the sale of electric current, or received in any way from the use of the Electric Distribution System, shall be deposited in the Town Depository and shall be distributed by the Board in accordance with the terms of the Power Contract between the Tennessee Valley Authority and the Town of Muscle Shoals and of an Ordinance of the Town of Muscle Shoals authorizing the issuance and sale of Electric System Revenue Bonds, and all funds shall be distributed by the Board as provided by said Power Contract and by said Ordinance. When the bonds issued under the authority of said Ordinance have been fully paid and discharged the Board shall no longer be controlled in the distribution of funds by said Ordinance, and in the event that the said contract for power between the Tennessee Valley Authority and the Town of Muscle Shoals should be altered, the said Board shall distribute the money received in accordance with such new or changed contract as may be made for the purchase of power, and in the event that restrictions with reference to the disbursement of the money received shall be eliminated from the Power Contract, then said Board shall operate said Electric Distribution System economically in accordance with the powers and duties imposed upon them by this Act and shall remit the net revenues from the operation of the said Electric Distribution System to the Town of Muscle Shoals quarterly thereafter.

Section 18. BOND OF DEPOSITORY. The Board shall require from the Depository adequate bond or securities to secure the safety of said deposit which bond or securities shall be in the sum that the Board shall fix having due regard to the safety of the Board's funds.

Section 19. CONTROL OF WATER WORKS, GAS OR OTHER UTILITIES IF ACQUIRED BY THE TOWN OF MUSCLE SHOALS. Should the Town of Muscle Shoals in the future purchase, construct, or acquire a municipal Water System, a municipal Gas System, or any other public utility, the Board created by this Act shall control, manage, and operate such municipally owned utility; it shall have full authority to employ and discharge a Manager for the same, and to employ and discharge, or authorize such Manager to employ and discharge, all such additional employees as may be needed to properly operate such utility; to operate and collect all charges for services; it shall deposit all funds derived from the operation of such utility in the Town Depository and shall pay out the same in accordance with any contract or contracts the Board of Commissioners of the Town of Muscle Shoals may make in acquiring the said utility or in acquiring funds for building or purchasing the same and shall operate such utility economically and pay the net revenues of such utility to the Town of Muscle Shoals quarterly.

Section 20. If any clause, sentence, section, or part of this Act shall be declared invalid, it shall not render the remaining parts of the same invalid but they shall remain in full force and effect.

Section 21. This Act shall go into effect immediately upon its approval by the Governor or upon its becoming a law without his approval.

CERTIFICATE OF PUBLICATION

State of Alabama,
Colbert County.

Before me Louie E. Auten, a Notary Public in and for said county, personally appeared W. F. Miller, who being first duly sworn, deposes and says that he is the publisher of Colbert County Reporter, a newspaper published weekly in Tuscumbia, Colbert County, Alabama, and that the notice "A Bill to establish a Municipal Power Board" in Muscle Shoals, Alabama, a copy of which is attached hereto, and was published in said newspaper for four consecutive weeks, commencing in the issue April 17, 1947, and ending in the issue of May 8, 1947.

W. F. MILLER,
Publisher.

Sworn to and subscribed before me, this 16th day of May, 1947.

LOUIE E. AUTEN,
Notary Public.

(SEAL)

By Mr. Thompson (Crenshaw):

H. 389. To supplement the Unemployment Compensation Law so as to set up therewith a joint coordinate system of employee insurance for loss of wages due to unemployment or to sickness; to create in the Department of Industrial Relations a Sickness Compensation System; to provide for a sickness compensation fund; to provide for employee contributions to such fund; to provide for benefit payments from such fund; to provide eligibility and disqualifying conditions for sickness benefits; to provide for the settlement of benefit claims; to provide for judicial review of disputed benefit claims; to provide for the administration of the Sickness Compensation System by the Director of Industrial Relations; to provide for the appointment and compensation of employees and the maintenance and other expenses of such system; to prohibit waiver of rights and benefits arising hereunder; to limit attorney's fees in cases arising under this act; to regulate alienation of benefits; to provide penalties for failure to comply with or violation of this Act; to establish a sickness compensation administration fund; to appropriate funds to maintain the same; to establish a Medical Advisory Board; to authorize the Director of Industrial Relations to withdraw from the Unemployment Fund of this State deposited with the Treasurer of the United States an amount not to exceed in the aggregate five million dollars from the amount of employee payments from time to time paid into said Fund, such withdrawals to be used for the purposes of the Sickness Compensation System; and to retain the right to amend or repeal this Act.

Business and Labor.

By Mr. Frasier:

H. 390. To make an additional appropriation for the construction of facilities for housing fat livestock shows, agricultural and industrial displays, and other exhibits consistent with the public good, as provided in Act No. 286, General Acts, 1945, page 473.

Ways and Means.

By Mr. Frasier:

H. 391. To make an additional appropriation of eight thousand dollars in each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Black Belt Branch Agricultural Experiment Station located at Marion Junction in Dallas County.

Ways and Means.

By Mr. Brown:

H. 392. To amend Section 298 of Title 55 of the 1940 Code of Alabama, which prescribes the method of removal and appointment, the qualifications, and the compensation of the state director of personnel.

Ways and Means.

By Messrs. Beatty, Gibson:

H. 393. Making provisions for Community Property Law; providing that the Act shall apply to husbands and wives and their property subsequent to the effective date of the Act; defining separate property and the community property of the husband and wife; providing for the management, control and disposition thereof, including the homestead; defining the ownership of funds on deposit in any bank or banking institution; providing for the rights and remedies of creditors; providing that either spouse may give or convey his or her community property to the other; providing for disposition of community property on dissolution of marriage; providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management, control and disposition of community property; providing for the administration and distribution of the interests of a deceased spouse in community property.

Ways and Means.

By M. Broadwater (with notice and proof):

H. 394. To appropriate to Knox M. Biles, Sr., the sum of two hundred and fifty dollars to reimburse him for hospital, doctor's, and medical bills incurred as a result of injuries received while acting as deputy sheriff of Limestone County.

Ways and Means.

Notice and Proof H. 394:

NOTICE

This is to notify the voters of Limestone County, Alabama, that it is the intention of the undersigned to introduce the following local bill during the regular session of the 1947 Legislature.

A BILL TO BE ENTITLED AN ACT

To appropriate to Knox M. Biles, Sr., the sum of two hundred and fifty dollars to reimburse him for hospital, doctor's, and medical bills incurred

as a result of injuries received while acting as deputy sheriff of Limestone County.

David U. Patton, Senator,
Bunyan D. Broadwater, Representative.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is appropriated out of any funds in the State treasury not otherwise appropriated, the sum of two hundred and fifty dollars (\$250.00) to Knox M. Biles, Sr., to reimburse him for hospital, doctor's and medical bills incurred as a result of injuries received in December, 1945, when, while acting as deputy sheriff of Limestone County, he was attacked by two risoners and his skull fractured and his kneecap broken.

Section 2. The Comptroller is directed to draw a warrant in favor of Knox M. Biles, Sr., for the amount of two hundred and fifty dollars (\$250.00).

Section 3. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

State of Alabama
Limestone County

Before me, the undersigned authority in and for said State and County, personally appeared Steele McGrew, who being by me first duly sworn, deposes and says that he is the Editor and Publisher of the Alabama Courier, a weekly newspaper of general circulation published in Limestone County, Alabama; that the above and foregoing notice was published once a week for four (4) consecutive weeks in said Alabama Courier, on to wit:—May 22, May 29, June 5, and June 12, 1947, without cost to the State of Alabama.

STEELE McGREW by ALDEVA CHAPMAN.

Sworn to and subscribed to before me, this 16 day of June, 1947.

HARRY TAFT,

(SEAL)

Notary Public, Limestone County, Alabama.

By Mr. Broadwater (with notice and proof):

H. 395. To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis.

Local Legislation.

Notice and Proof H. 395:

NOTICE

This is to notify the voters of Limestone County, Alabama, that it is the intention of the undersigned to introduce the following local bill during the regular session of the 1947 Legislature.

David U. Patton, Senator
Bunyan D. Broadwater, Representative.

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Tax Assessor of Limestone County shall be paid a salary of three thousand and six hundred dollars (\$3,600) per annum in lieu of any other compensation or remuneration for the performance of his duties, except that he shall be entitled to receive for his own use the fees, commissions, and percentages provided by law for making assessments on behalf of municipalities within the county. All other fees, commissions, and percentages heretofore collectible for the tax assessor's own use shall be collected and paid into the general fund of the county. The tax assessor's salary shall be paid out of the general fund of the county in equal monthly installments as the salaries of county employees are paid.

Section 2. The tax assessor may employ a regular clerk, whose salary shall be fixed by him at not less than one hundred dollars (\$100) nor more than one hundred and thirty-five dollars (\$135) per month. In addition to the regular clerk, the tax assessor may employ a temporary clerk for a period not to exceed three months in any year. The salary of the temporary clerk shall be fixed by the tax assessor within the salary range applicable to the regular clerk. The salaries of both clerks shall be paid by the county. The tax assessor shall not employ either clerk unless he shall file on or before October 1 of each year his affidavit showing a necessity for the employment of clerks during the ensuing year.

Section 3. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 4. All laws in conflict with this Act are repealed.

Section 5. This Act shall be come effective at the expiration of the term of the incumbent Tax Assessor of Limestone County; or, if the incumbent shall agree in writing, which agreement shall be filed with the Board of Revenue of Limestone County, the Act shall become effective instant.

State of Alabama
Limestone County

Before me, the undersigned authority in and for said State and County, personally appeared Steele McGrew, who being by me first duly sworn, deposes and says that he is the Editor and Publisher of the Alabama Courier, a weekly newspaper of general circulation published in Limestone County, Alabama; that the above and foregoing notice was published once a week for four (4) consecutive weeks in said Alabama Courier, on to wit: May 22, May 29, June 5, and June 12, 1947, without cost to the State of Alabama.

STEELE MCGREW by ALDEVA CHAPMAN.

Sworn to and subscribed to before me, this the 16 day of June, 1947.

HARRY TAFT,

(SEAL)

Notary Public, Limestone County, Alabama.

By Messrs. Davis, Vann (with notice and proof):

H. 396. To provide an additional method by which the City of Huntsville may extend its corporate limits in addition to any other method now provided by law.

Local Legislation.

Notice and Proof H. 396:

A BILL
TO BE ENTITLED
AN ACT

To provide an additional method by which the City of Huntsville may extend its corporate limits in addition to any other method now provided by law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Whenever the council of the City of Huntsville shall pass a resolution to the effect that the public health or public good requires that certain territory (describing it) shall be brought within the limits of the City of Huntsville:

(1) It shall be the duty of the mayor to certify a copy of such resolution to the judge of probate of Madison County and said certified resolution shall have attached thereto a plat or map of the territory proposed to be annexed, which certified resolution and plat or map shall be filed by the judge of probate.

(2) Within ten days from the date of the filing of such resolution, the judge of probate must take and enter an order upon the minutes of said court, directing and ordering an election to be held by the qualified electors residing within the territory described, not less than twenty days nor more than forty days from the date of the making of the order. The said judge shall give notice of the holding of such election by publication in a newspaper published within the City of Huntsville, if a newspaper is published therein, and if no newspaper is published in such municipality, then by posting notices at three public places in such municipality, which notice shall state the day on which such election is to be held, the voting place or places, the boundaries within which voters must reside to vote at the respective voting places, which must be within the territory proposed to be brought into the City of Huntsville, and such notice must give a description of the territory proposed to be annexed, and must state that a map of such territory is on file in the office of the judge of probate of said Madison County, open to the inspection of the public.

(3) The judge of probate may designate as many places as within the territory proposed to be annexed as he may deem necessary for the convenience of electors, two clerks and one returning officer for each voting place, which voters must reside to vote at the respective voting places, and shall appoint three inspectors of election, two clerks and one returning officer for each voting place, which inspectors shall manage the election at the respective voting places at which they are appointed as inspectors.

(4) Each qualified elector who has resided within the boundaries of the territory proposed to be brought into the City of Huntsville for three months next preceding the election, may vote at such election, but must vote at the voting place designated by the judge of probate for voters in the territory in which he resides.

(5) The election to determine whether or not the proposed territory shall be brought within such corporate limits must be conducted in all respects as provided by the general election laws, and under the same sanction and penalties, except as changed by the provisions hereof, and except that an official ballot need not be provided.

(6) Each voter may furnish his own ballot with the following words written or printed thereon: "For annexation," if he desires to vote in favor of annexing the territory to the City of Huntsville, or "Against annexation," if he desires to vote against annexing the territory to the City of Huntsville. It shall not be necessary for the ballot to be of any particular size, form, or color.

(7) The inspectors at the respective voting places must, as soon as the polls are closed, ascertain and certify the results of the election, at their respective voting places, to the judge of probate, and deliver the same to the returning officer, who must at once return the same to the judge of probate, and the judge of probate must canvass the return as made by the inspectors, and if it appears that a majority of the votes cast at the election were "for annexation," the judge shall make and enter an order on the records of the probate court adjudging and decreeing the corporate limits of the City of Huntsville to be extended so as to embrace the territory described in the resolution and designated on the plat or map attached to the resolution, and must cause the certified resolution and the map and all orders or decrees or judgments to be recorded in the records in his office, and from the time of the

entry of such order such territory shall be a part of and within the corporate limits of the City of Huntsville. If it appears that a majority of the votes cast at the election are against annexation the judge of probate shall make and enter an order on the records of the court adjudging and decreeing that a majority of the votes at such election were cast against coming into the corporate limits of the City of Huntsville and that the territory described and designated in the resolution and plat on map attached shall not form a part of or be embraced in the City of Huntsville until it may thereafter be brought into the City as a part thereof.

(8) The result of such election may be contested by any qualified elector voting at the election under the same provisions as are provided by general law for contesting the election of a justice of the peace, making the City of Huntsville the contestee. The City of Huntsville shall pay all costs and expense incident to the election.

(9) plat or map filed with the certified copy of the resolution, as required herein, shall show accurately the territory proposed to be embraced within the corporate limits, including all subdivisions into lots, blocks, streets and alleys within such territory, if any, and an accurate description by metes and bounds of the boundary of such territory, which territory must be contiguous to the boundary of and from a homogeneous part of the City of Huntsville and such territory may extend to or around the boundary line of any other city or town, but is not to embrace any territory within the corporate limits of another municipality. No platted or unplatted territory shall be included within the boundary of such territory unless with the consent of the persons, firms or corporations owning at least sixty per cent of the acreage of such platted or unplatted land proposed to be included in such boundary, such consent to be signified by their signing a petition to that effect, which petition shall be filed with the plat or map and certified copy of the resolution. Proof of residence and qualification as electors of petitioners and of persons affected shall be made to the judge of probate, by affidavit or otherwise, as he may direct. When determining the ownership of the land within such boundary, the persons, firms or corporations assessing the same for taxation shall be accepted by the probate judge as *prima facie* the owners thereof.

All territory brought within the corporate limits of the City of Huntsville under the provisions of this act shall be subject to its laws and ordinances and the council shall have and exercise the same jurisdiction over such territory as is exercised over the territory within the corporate limits of the City of Huntsville.

The council may create new wards or may enlarge the wards so as to embrace all the territory brought within the corporate limits of the City of Huntsville so as to afford opportunity to all persons entitled to vote at elections in the City of Huntsville to vote thereat.

The probate judge shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and all other officers shall be entitled to the same compensation for services rendered by them as they are authorized by law to charge and collect for similar services rendered by them, and the City of Huntsville shall pay all cost and expense thereof except in the case of a contest as herein provided.

Section 2. Notwithstanding the fact the City of Huntsville may have extended its corporate limits under the provisions of this Act, or any other law, it may again extend its corporate limits hereunder, or under any other law authorizing the extension of such corporate limits; provided however, that after an election has been held in any territory under the provisions of this Act, or any other law, no other or subsequent election shall be ordered or held within the same territory, or any part thereof, within twelve months next after said election.

Section 3. In every proceeding to extend the corporate limits of the City of Huntsville, under the provisions of this Act, the Council of the City of Huntsville, shall declare in each and every resolution herein provided for,

and the probate judge shall declare in each and every order directing and ordering an election to be held hereunder, and in every notice given hereunder, and in every order made and entered on the records of the Probate Court hereunder, that such resolution, order or notice, as the case may be, is passed, given or entered under the provisions of this Act.

Section 4. All property and territory brought within the corporate limits of the City of Huntsville under the provisions of this Act shall be liable for payment of taxes to the City of Huntsville, from and after the commencement of the City tax year, commencing next after the judge of probate shall make and enter an order on the records of the Probate Court, adjudging and decreeing the corporate limits of the City of Huntsville to be extended so as to embrace such property or territory.

Section 5. This Act shall constitute an additional method by which the corporate limits of the City of Huntsville may be extended, and shall be in addition to any other method now or hereafter provided by law.

Section 6. This Act shall take effect upon its passage and approval by the Governor.

May 22, 29, June 5 and 12.

STATE OF ALABAMA MADISON COUNTY

Before me, W. P. Nicholson, Notary Public in and for said state and county this day personally appeared John M. Langhorne, who being first duly sworn deposes and says that he is General Manager of The Huntsville Times, a newspaper of general circulation in the City of Huntsville, Madison County, Alabama; that the foregoing notice of proposed Bill to be introduced for passage in the Legislature of Alabama, was published and printed in said newspaper once a week for four consecutive weeks; as follows;

May 22, 1947

May 29, 1947

June 5, 1947

June 12, 1947

JOHN M. LANGHORNE,
General Manager.

Sworn to and subscribed before me this the 12 day of June, 1947.

W. P. NICHOLSON,
Notary Public.

(SEAL)

By Mr. Haynes (Franklin):

H. 397. To Amend Section 756, Article 10, Chapter 20, Title 51, Code of Alabama 1940.

Ways and Means.

By Mr. Haynes (Franklin):

H. 398. To provide that no person applying for the registration of a motor vehicle shall be permitted to register the same unless he secures and pays the premium on a motor vehicle liability insurance policy to be issued by the State Insurance Corporation.

Judiciary.

By Mr. Haynes (Franklin) (with notice and proof):

H. 399. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Russellville in Franklin County, Alabama.

Local Legislation.

Notice and Proof H. 399:

NOTICE OF LOCAL BILL

Notice is hereby given that the following bill will be introduced and offered for passage in the Legislature of Alabama at its session which will convene on the 6th day of May, 1947.

A BILL
TO BE ENTITLED
AN ACT

To extend, alter, and rearrange the boundary lines and corporate limits of the City of Russellville in Franklin County, Alabama.

Be It Enacted By The Legislature Of Alabama:

1. The boundary lines and corporate limits of the City of Russellville in Franklin County, Alabama, are hereby extended, altered, and rearranged so that all of the lands embraced within the following boundaries are within the corporate limits of such municipality: beginning at the northeast corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20, Township 6 Range 11 West, thence west on the north line of Section 20 to the northeast corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, Township 6, Range 11 West, continue west on the north line of Section 19 to the northeast corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 6, Range 12 West, continue west to the northwest corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, thence south on the west line of Section 24 to the northwest corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 6, Range 12 West, continue south on the west line of Section 25 to the northwest corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, Township 6, Range 12 West, continue south on the west line of Section 36 to the southwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36, thence east on the south line of Section 36 to the southwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31, Township 6, Range 11 West, continue east on the south line of Section 31 to the southwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 32, Township 6, Range 11 West, continue on the south line of Section 32 to the southeast corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, thence north on the east line of Section 32 to the southeast corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29, Township 6, Range 11 West, continue north on the east line of Section 29 to the southeast corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20, Township 6, Range 11 West, thence on the east line of Section 20 to the starting point.

2. The boundaries set out in Section 1 of this Act are hereby established as the corporate limits of the City of Russellville.
5-22-4tc.

STATE OF ALABAMA
FRANKLIN COUNTY

Before me a notary public in and for said state and county appeared M. C. Giles, publisher of the Franklin County Times, who being sworn accord to law, deposes and says that the attached legal notice was published in the Franklin County Times for 4 consecutive issues being May 22, 1947.

M. C. GILES,
Publisher, Franklin County Times.

Subscribed and sworn to before me this 13 day of June, 1947.

CARRIE MAE BAUER,
Notary Public.

By commission expires March 6, 1950

By Messrs. Sullivan, Johnston, Stone (with notice and proof):

H. 400. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

Local Legislation.

Notice and Proof H. 400:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Regular Session of The Alabama Legislature at its meeting commencing in May, 1947, for the passage of an Act in substance as follows;

A BILL ENTITLED AN ACT

To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA;

Section 1. That the Tax Assessor of Mobile County, Alabama may employ at the public expense a chief Clerk, such Chief Clerk to discharge the duties imposed upon him by law and by the Tax Assessor.

Section 2. That such Chief Clerk shall be paid a salary of \$4,200.00 per year, payable in equal monthly installments.

Section 3. That all laws, general, local or special in conflict with the provisions of this act are hereby repealed.

Section 4. This act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.
May 23, 30; June 6, 13.

State of Alabama
County of Mobile

Personally appeared before me the Undersigned authority in and for said State and County, C. M. Shepard Jr., who being sworn does depose and say he is Publisher of the Mobile Post, a weekly newspaper of general circulation printed and published in Mobile County, Alabama, in the English language, and which has been mailed under the second class mailing privileges of the United States Post Office Department from Mobile, Alabama, for more than 52 weeks prior to the date of this advertisement and that the attached advertisement was published in the Post on May 23, 30; and June 6 and June 13, 1947.

C. M. SHEPARD JR.

Sworn and subscribed to before me on the 13 day of June 1947.

E. C. VAUGHAN,

(SEAL)

Notary Public, Mobile County, Alabama.

By Messrs. Sullivan, Johnston, Stone (with notice and proof):

H. 401. To amend Section 2, as amended by a Local Act of the Legislature of Alabama, approved June 18, 1943, of a Local Act entitled "An act to fix and regulate the salary to be charged or received by the tax collector of Mobile County; to provide for assistants to the said tax collector, and their compensation; to fix and regulate the method and basis of payment and collection of such salary of the tax collector and compensation for his assistants; to provide that such salary shall be in lieu of all other compensation, fees, commissions or emoluments; to declare the provisions of existing law, touching the commission of tax collectors for collecting general and special and school taxes, inapplicable to

Mobile County; and to provide for the payment, into the County Treasury of Mobile County, of certain moneys, fees and penalties that were heretofore part of the compensation, emoluments and perquisites of the office of Tax Collector of Mobile County, Alabama," enacted by the Legislature of 1935 and approved August 15th, 1935, and set out in Local Acts of Alabama of 1935, page 139.

Local Legislation.

Notice and Proof H. 401:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Regular Session of the Alabama Legislature at its meeting commencing in May, 1947, for the passage of an Act in substance as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 2, as amended by a Local Act of the Legislature of Alabama, approved June 18, 1943, of a Local Act entitled "An act to fix and regulate the salary to be charged or received by the tax collector of Mobile County; to provide for assistants to the said tax collector, and their compensation; to fix and regulate the method and basis of payment and collection of such salary of the tax collector and compensation for his assistants; to provide that such salary shall be in lieu of all other compensation, fees, commissions or emoluments; to declare the provisions of existing law, touching the commission of tax collectors for collecting general and special and school taxes, inapplicable to Mobile County; and to provide for the payment, into the County Treasury of Mobile County, of certain moneys, fees and penalties that were heretofore part of the compensation, emoluments and perquisites of the office of Tax Collector of Mobile County, Alabama," enacted by the Legislature of 1935 and approved August 15th, 1935, and set out in Local Acts of Alabama of 1935, page 139.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 2, as amended by a Local Act of the Legislature of Alabama, approved June 18, 1943, of a Local Act entitled, "An Act to fix and regulate the salary to be charged or received by the tax collector of Mobile County; to provide for assistants to the said tax collector, and their compensation; to fix and regulate the method and basis of payment and collection of such salary of the tax collector and compensation for his assistants; to provide that such salary shall be in lieu of all other compensation, fees, commissions or emoluments; to declare the provisions of existing law, touching the commission of tax collectors for collecting general and special and school taxes, inapplicable to Mobile County; and to provide for the payment, into the County Treasury of Mobile County of certain moneys, fees and penalties that were heretofore part of the compensation, emoluments and perquisites of the office of the Tax Collector of Mobile County, Alabama," enacted by the Legislature of 1935 and approved August 15, 1935, be and it is hereby amended so as to read as follows:

Section 2. The tax collector may employ, at the public expense, to aid him in the performance of his official duties, a Chief Clerk who shall be an employee of the tax collector and as such, may be discharged or otherwise

dealt with by the tax collector in all respects as may be done between private employer and employee. Such Chief Clerk shall be paid a salary not exceeding Four Thousand two hundred (\$4,200.00) Dollars a year, in equal monthly installments.

Section 2. Nothing in this bill shall be construed as repealing any part of the Act commonly known as the Mobile County Civil Service or Merit System Act, approved September 15, 1939. (Local Acts 1939, No. 470, House Bill No. 952, Langan, Megginson, Stone).

Section 3. All laws, general, local or special in conflict with this act are hereby repealed.

Section 4. This act shall take effect immediately upon its approval by the Governor.

May 16, 23, 30; June 6

State of Alabama
County of Mobile

Personally appeared before me the undersigned authority in and for said state and county, C. M. Shepard, Jr., who being sworn does depose and say he is the Publisher of the Mobile Post, a weekly newspaper of general circulation in the English language, which has been mailed under the second class mailing privileges of the United States Post Office Department from Mobile, Alabama, for more than fifty-two weeks prior to the date of this advertisement and the attached advertisement was published in the Post on May 16, 23, 30; and June 6, 1947.

C. M. SHEPARD JR.

Sworn and subscribed to before me on the 6th of June 1947.

E. C. DOODY,

(SEAL)

Notary Public, Mobile County, Alabama.

By Mr. Stone (with notice and proof):

H. 402. To Amend Section 41, Title 62, of the Code of Alabama, 1940.

Local Legislation.

Notice and Proof H. 402:

LEGAL NOTICE

Notice is hereby given of the intention to apply to this regular session of the Legislature for the passage of an Act amending Section 41, Title 62, of the Code of Alabama, 1940; said Act to read substantially as follows:

AN ACT

To amend Section 41, Title 62, of the Code of Alabama, 1940.

Be It Enacted by the Legislature of Alabama:

That Section 41, Title 62, of the Code of Alabama, 1940 be, and the same is hereby amended so as to read as follows:

Section 41. Compensation of the County Treasurer—The salary of the County Treasurer in the County shall be Seventy-two hundred dollars per annum, payable in equal monthly installments from the County Treasury on warrants drawn by the President or Chairman of the County governing body.
Reg. May 14, 21, 28-June 4

H. M. Cunan being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City

and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register.

May 14, 21, 28; June 4, 1947.

H. M. CUNAN.

Sworn to and subscribed before me This 4th day of June 1947.

ALVIN A. JOHNSON,
Notary Public.

(SEAL)

By Mr. Stone:

H. 403. To Amend Section three (3) of an Act entitled "An Act to provide for a Deputy County Treasurer in each County in the State, having a population of not less than one hundred twenty-five thousand, and not more than three hundred thousand inhabitants, according to the last, or to any succeeding Federal census; and to provide for the qualifications, appointment, term, duties, bond, and compensation of such Deputy County Treasurers," approved July 6, 1943. (General Acts 1943, pages 339-340).

Local Legislation.

By Messrs. Sullivan, Johnston, Stone (with notice and proof):

H. 404. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama.

Local Legislation.

Notice and Proof H. 404:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Regular Session of the Alabama Legislature at its meeting commencing in May, 1947, for the passage of an act in substance as follows:

A BILL TO BE ENTITLED AN ACT

To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Clerk of the Circuit Court of Mobile County, Alabama, may employ at public expense one Clerk to serve as Clerk of the Criminal Division of said Court to be known as the Chief Assistant to the Clerk of said Court and authorized to perform all of the official duties of the Clerk of said Court who shall be an employee of the Clerk of said Court and as such may be discharged or otherwise dealt with by the Clerk of said Court in all respects as may be done between private employer and employee, such Chief Assistant to discharge the duties imposed upon him by law and by the Clerk of said Court.

Section 2. That such Chief Assistant shall be paid a salary of \$4200.00 per year, payable in equal monthly installments.

Section 3. That all laws, general, local or special, in conflict with the provisions of this Act are hereby repealed.

Section 4. This Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.
May 16, 23, 30; June 6.

State of Alabama
County of Mobile

Personally appeared before me the undersigned authority in and for said state and county, C. M. Shepard, Jr. who being sworn does depose and say he is Publisher of the Mobile Post, a weekly newspaper of general circulation, printed and published in Mobile County, Alabama, under second class mailing privileges for more than 52 weeks prior to this advertisement which was published in the Post on May 16, 23, 30; and June 6, 1947.

C. M. SHEPARD JR.

Sworn and subscribed to before me on the 6th of June 1947.

E. C. DOODY,

(SEAL)

Notary Public, Mobile County, Alabama.

By Messrs. Johnston, Sullivan, Stone:

H. 405. To amend Section 187 of Title 13, Code of Alabama of 1940 as said Section was last amended by the Act approved July 6, 1943, entitled "AN ACT To Amend Section 187 of Title 13, Code of Alabama of 1940."

Local Legislation.

By Messrs. Sightler, Busby, Pinkston, Ingalls (with notice and proof):

H. 406. To fix the compensation or salary to be paid the tax collector of Montgomery County, Alabama, and to regulate the payment of same, to provide for the selection of clerical help and other assistance to said officer and the manner of fixing his compensation and paying the same, and to provide rules and regulations for the payment and conduct of such officer; and to require such officer to pay into the county treasury of said county all costs, charges of courts, fees and commissions authorized by law to be collected by said officer as other monies belonging to said county are paid, except any salary, fees or commissions paid said officer for collecting taxes for any municipality.

Local Legislation.

Notice and Proof H. 406:

NOTICE

TO WHOM IT MAY CONCERN:

Notice is hereby given that a bill will be introduced in the Legislature of Alabama. in the 1947 Session thereof, which bill is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To fix the compensation or salary to be paid the tax collector of Montgomery County, Alabama, and to regulate the payment of same, to provide for the selection of clerical help and other assistance to said officer and

the manner of fixing his compensation and paying the same, and to provide rules and regulations for the payment and conduct of such officer; and to require such officer to pay into the county treasury of said county all costs, charges of courts, fees and commissions authorized by law to be collected by said officer as other monies belonging to said county are paid, except any salary, fees or commissions paid said officer for collecting taxes for any municipality.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the tax collector of Montgomery County, Alabama, shall be paid an annual salary, which shall be paid to and received by him in lieu of all other compensations, fees or emoluments, as follows: The tax collector shall receive an annual salary of four thousand dollars net, except as herein otherwise provided, and an allowance of seventy-nine hundred dollars per annum for office help as follows: one clerk at thirty-six hundred dollars per annum, and one clerk at twenty-four hundred dollars per annum, and nineteen hundred dollars per annum for other expenses and ex-officio services of the said tax collector. The said nineteen hundred dollars to be paid to the tax collector in monthly installments. The personnel of said assistants to be selected by the said tax collector.

Section 2. That the tax collector shall pay into the county treasury of said county, all costs, charges of court, fees and commissions authorized by law, or which may hereafter be authorized by law to be collected by him as monies belonging to said county are paid. Provided that any salary, fees or commissions paid to said officer for collecting taxes of any municipality shall not be paid into the treasury or said county, but shall be held by said officer as compensation for such services in addition to his salary as herein provided. The Board of Revenue or other governing body of like jurisdiction of Montgomery County, Alabama, shall have the power and authority to have audited the accounts of said officer for the purpose of requiring a strict compliance with the provisions of this act.

Section 3. That all compensation and salary of the tax collector and all allowances provided for expenses, clerical help and other assistance shall be paid out of the general fund of the said Montgomery County in monthly installments.

Section 4. That the premium on the tax collector's bond and the bonds of his clerks and deputies shall be paid out of the general fund of Montgomery County.

Section 5. That all laws or parts of laws, general, local or special, in conflict with the provisions of this act be, and the same are hereby expressly repealed.

Section 6. That this act shall go into effect immediately upon its approval by the Governor.

The Montgomery Weekly
May 8-15-22-29, 1947

AFFIDAVIT OF PUBLICATION

Appeared before me, Frank Nunnelee, Owner of the Montgomery Weekly, a paper of general circulation in Montgomery County, Alabama, who being duly sworn deposes and says that the attached notice appeared in the Montgomery Weekly for four consecutive issues, namely: May 8-15-22-29, 1947.

The Montgomery Weekly

FRANK NUNNELEE,
Owner.

Subscribed and sworn to before me this 29th day of May, 1947.
EDNA McARDLE,
Notary Public.

By Mr. Harris:

H. 407. To amend Sections 35, and 43 of Title 31 of the Code of Alabama of 1940.

Judiciary.

By Messrs. Brassell and Cole (with notice and proof):

H. 408. To validate certain expenditures ordered by the governing body of Russell County for the relief of (W. H. Simmons).

Local Legislation.

Notice and Proof H. 408:

Notice is hereby given that application will be made to the Legislature of Alabama at its 1947 session or sessions for the passage of the following local bill:

A BILL
TO BE ENTITLED
AN ACT

To validate certain expenditures ordered by the governing body of Russell County for the relief of (W. H. Simmons.)

PREAMBLE

WHEREAS on and before November 6, 1946, (W. H. Simmons) was employed by Russell County as a road and bridge foreman and was seriously injured in the line of duty, and

WHEREAS the expense of medical treatment, hospital and nursing care incurred by the said (W. H. Simmons) is a moral obligation of the county, and

WHEREAS the governing body of Russell County has ordered payment of such expenses, therefore BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The action of the governing body of Russell County, Alabama, in ordering the payment of the following amounts to the persons named herein in satisfaction of claims held by such persons against (W. H. Simmons) is hereby validated: 1. Warrant No. 788, dated November 6, 1946, in the amount of two hundred fifty dollars (\$250) issued in favor of Dr. Bert Tillery; 2. Warrant No. 789, dated November 6, 1946, in the amount of one hundred ninety-eight dollars and forty-five cents (\$198.45) issued in favor of Columbus City Hospital; 3. Warrant No. 790, dated November 6, 1946, in the amount of one hundred thirty-seven dollars (\$137) issued in favor of Mrs. Melvin McCain.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law R. C. 21 — 4ts.

State of Alabama
Russell County

Before me, a Notary Public, in and for said County, in said State, personally appeared Isabel A. Moses, who being known to me after first having been duly sworn, deposes and says:

That she is the Publisher of the Phenix-Girard Journal, a newspaper published in Phenix City, Russell County, Alabama and having a general circulation in said County and that the attached notice of the intention to apply for the passage of a local law affecting said Russell County was published in said newspaper once a week for four consecutive weeks in its issues of

May 23rd, May 30th, June 6th and June 13th, 1947; that said newspaper was printed all in Alabama and published in Russell County, Alabama and is printed in the English language and has a general circulation in said County of Russell in which it is published and said newspaper had been mailed under the second class mailing privileges of the United States Post-Office in Phenix City, Alabama, where it is published for Fifty-two weeks prior to the first publication of said notice in said newspaper.

ISABEL A. MOSES,
Publisher.
Sworn to and subscribed before me, this the 14th day of June, 1947.
ISAAC J. MOSES,
Notary Public.

(SEAL)

By Messrs. Callahan and Shelton:

H. 409. To fix the salaries of the Chief Clerk employed in the Office of the Probate Judge in all counties of the State of Alabama which now have, or which may hereafter have, a population of not less than 75,000 and not more than 113,000 according to the last Federal census or any such Federal census which may be hereafter taken.

Local Legislation.

By Mr. Malone:

H. 410. To amend Sections 126 and 357 of Title 17 of the 1940 Code, which relate to watchers at the polls, their duties and privileges, by providing that watchers shall be permitted to witness any transaction in which an election official renders assistance to a voter.

Constitution and Elections.

By Mr. Beatty:

H. 411. To amend Section 747, Title 51, Article 9, Chapter 20, Code of Alabama 1940.

Judiciary.

By Mr. Beatty:

H. 412. To amend Section 730 of Title 51, Article 9, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Messrs. Dumas, Adams (Jefferson), Beatty, Gibson, Kaul, Meeks, Sadler:

H. 413. To Amend Section 172, Title 17, of the Code of Alabama of 1940.

Constitution and Elections.

By Messrs. Dumas, Adams (Jefferson), Beatty, Gibson, Kaul, Meeks, Sadler:

H. 414. To Amend Section 111, Title 17 of the Code of Alabama of 1940, as amended by an Act approved July 7, 1943, entitled "An Act to Amend Section 111, of Title 17, of the Code of Alabama of 1940", and by an Act approved July 7, 1945, entitled "An Act to Amend an Act Entitled 'An Act to Amend Section 111 of Title 17, of the Code of Alabama of 1940, approved July 7, 1943'."

Constitution and Elections.

By Messrs. Dumas, Adams (Jefferson), Beatty, Gibson, Kaul, Meeks, Sadler:

H. 415. To Amend Section 105, Title 17, of the Code of Alabama of 1940.

Constitution and Elections.

By Messrs. Dumas, Adams (Jefferson), Beatty, Gibson, Kaul, Meeks, Sadler:

H. 416. To Amend Section 84, Title 17, of the Code of Alabama of 1940.

Constitution and Elections.

By Messrs. Dumas, Adams (Jefferson), Beatty, Gibson, Kaul, Meeks, Sadler:

H. 417. To Amend Section 81, Title 17, of the Code of Alabama of 1940.

Constitution and Elections.

BILLS ON THIRD READING

(With amendment):

H. 133. To fix the salary of the Deputy Solicitor for Calhoun County Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation, said committee amendment being as follows:

COMMITTEE AMENDMENT TO H. 133

Amend Section 1 of said bill by deleting the words, "Thirty Six Hundred Dollars" in lines 2 and 3, and inserting in lieu thereof the words "Three Thousand Dollars" and by deleting the words "Three Hundred Dollars" in line 4 and inserting in lieu thereof the words "Two Hundred Fifty Dollars."

And the amendment was adopted.

Yeas 58; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Larkins | Shelton |
| Adams (Dale) | Dobbs (Elmore) | McClendon | Shirley |
| Barnett | Duffee | McDonald | Sightler |
| Benford | Dumas | Malone | Snodgrass |
| Bennett | Ganey | Martin | Stone |
| Black | Garrett | Mason | Taylor (Autauga) |
| Brannan | Gillis | Merrill | Taylor (Hale) |
| Broadwater | Hankins | Miller | Thompson (Pike) |
| Buckner | Harris | Nelson | Vann |
| Callahan | Haynes (Franklin) | Nettles | Weaver |
| Cobb | Haynes (Lowndes) | Richardson | Whitcomb |
| Coburn | Head | Roberts | White (Covington) |
| Cole | Howell | Sadler | White (Perry) |
| Cox | Inzer | Sellers | Wood (Bibb) |
| Davis | Johnston | | |

And said bill, H. 133, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Inzer | Shelton |
| Adams (Dale) | Dobbs (Elmore) | Johnston | Shirley |
| Bennett | Dumas | McClendon | Sightler |
| Black | Ganey | McDonald | Snodgrass |
| Brannan | Garrett | Martin | Stewart |
| Brown | Gillis | Mason | Stone |
| Buckner | Hankins | Merrill | Taylor (Autauga) |
| Busby | Harris | Miller | Thompson (Pike) |
| Callahan | Harrison | Nelson | Vann |
| Cobb | Haynes (Franklin) | Nettles | Weaver |
| Coburn | Haynes (Lowndes) | Richardson | Whitcomb |
| Cole | Head | Roberts | White (Covington) |
| Cox | Howell | Robinson | White (Perry) |
| Davis | Ingalls | Sadler | Wood (Bibb) |

—56

And the bill:

H. 305. To amend Section 2 of An Act entitled An Act to provide for the election of a County Superintendent of Education for Cleburne County, Alabama, by the qualified voters of Cleburne County, Alabama, at the General Election in 1928 and every four years thereafter, to prescribe his qualifications, fix his term of office, prescribe his duties, and to fix his salary and provide the manner of payment of same. **Approved September 6th, 1927.**

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

| | | | |
|--------------|------------------|-----------|-------------------|
| Mr. Speaker | Crocker | Inzer | Shelton |
| Adams (Dale) | Davis | Johnston | Shirley |
| Barnett | Denton | McClendon | Sightler |
| Benford | Dobbs (Elmore) | McDonald | Snodgrass |
| Bennett | Duffee | Martin | Stewart |
| Black | Ganey | Mason | Taylor (Autauga) |
| Brannan | Garrett | Meeks | Taylor (Hale) |
| Broadwater | Gibson | Merrill | Thompson (Pike) |
| Brown | Gillis | Miller | Vann |
| Buckner | Hankins | Nelson | Weaver |
| Busby | Harris | Nettles | Whitcomb |
| Callahan | Harrison | Roberts | White (Covington) |
| Cobb | Haynes (Lowndes) | Robinson | White (Perry) |
| Coburn | Head | Rogers | Wood (Bibb) |
| Cox | Howell | | |

—58

And the bill:

H. 252. To alter, rearrange, and extend the boundary lines of the City of Andalusia in Covington County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Johnston | Robinson |
| Adams (Dale) | Duffee | Kaul | Rogers |
| Barnett | Dumas | Leonard | Sellers |
| Benford | Evans | McClendon | Shelton |
| Black | Ganey | McDanal | Shirley |
| Brannan | Garrett | McDonald | Sightler |
| Broadwater | Gibson | Martin | Snodgrass |
| Brown | Gillis | Mason | Stewart |
| Buckner | Hankins | Meeks | Taylor (Autauga) |
| Busby | Harris | Merrill | Taylor (Hale) |
| Callahan | Harrison | Miller | Thompson (Pike) |
| Coburn | Haynes (Franklin) | Nelson | Vann |
| Cox | Haynes (Lowndes) | Nettles | Weaver |
| Crocker | Head | Pinson | Whitcomb |
| Davis | Howell | Richardson | White (Covington) |
| Denton | Inzer | Roberts | White (Perry) |

—64

And the bill:

H. 300. To amend Section 1 of Act 124, Local Acts of 1935, Page 57, "To provide the Sheriff of Covington County, Alabama, an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy and to make the same payable in equal monthly installments from the General Funds of Covington County; to repeal 1931 Local Act and all other laws in conflict herewith."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Inzer | Robinson |
| Adams (Dale) | Dobbs (Elmore) | Johnston | Sadler |
| Barnett | Duffee | Kaul | Shelton |
| Benford | Dumas | McClendon | Shirley |
| Bennett | Evans | McDanal | Sightler |
| Black | Ganey | McDonald | Snodgrass |
| Brannan | Garrett | Martin | Stewart |
| Broadwater | Gibson | Mason | Taylor (Autauga) |
| Brown | Gillis | Meeks | Taylor (Hale) |
| Buckner | Hankins | Merrill | Thompson (Pike) |
| Busby | Harris | Miller | Vann |
| Callahan | Harrison | Nelson | Weaver |
| Cobb | Haynes (Franklin) | Nettles | Whitcomb |
| Coburn | Haynes (Lowndes) | Ramey | White (Covington) |
| Cox | Head | Richardson | White (Perry) |
| Crocker | Howell | Roberts | Wood (Bibb) |
| Davis | | | |

—65

And the bill:

H. 269. To regulate the office of sheriff in counties of 400,000 population or over according to the last Federal census or any subsequent Federal census, to exempt the sheriffs of such counties from court costs; to exempt sheriffs from liability for the acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of sheriffs, and to provide for the payment of the premium on the sheriffs and deputies bonds out of the county treasury; authorizing the sheriff to employ an attorney to advise and represent him, whose compensation is to be fixed by the board of revenue or like governing body and paid out of the general fund; and providing when and where this act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Kaul | Robinson |
| Adams (Dale) | Duffee | Leonard | Sadler |
| Beatty | Dumas | McClendon | Shelton |
| Benford | Evans | McDanal | Shirley |
| Bennett | Ganey | McDonald | Sightler |
| Black | Garrett | Malone | Snodgrass |
| Broadwater | Gibson | Martin | Stewart |
| Buckner | Gillis | Mason | Stone |
| Busby | Hankins | Mathison | Taylor (Autauga) |
| Callahan | Harris | Meeks | Taylor (Hale) |
| Cobb | Harrison | Merrill | Thompson (Pike) |
| Coburn | Haynes (Franklin) | Miller | Vann |
| Cole | Haynes (Lowndes) | Nelson | Weaver |
| Cox | Head | Ramey | Whitcomb |
| Crocker | Howell | Richardson | White (Covington) |
| Davis | Inzer | Roberts | White (Perry) |
| Denton | Johnston | | |

—66

And the bill:

H. 278. To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

| | | | |
|--------------|----------|----------------|-------------------|
| Mr. Speaker | Brown | Davis | Hankins |
| Adams (Dale) | Buckner | Denton | Harris |
| Barnett | Busby | Dobbs (Elmore) | Harrison |
| Beatty | Callahan | Duffee | Haynes (Franklin) |
| Benford | Cobb | Evans | Haynes (Lowndes) |
| Bennett | Coburn | Ganey | Head |
| Black | Cole | Garrett | Howell |
| Brannan | Cox | Gibson | Inzer |
| Broadwater | Crocker | Gillis | Johnston |

| | | | |
|-----------|------------|-----------|-------------------|
| Knight | Meeks | Robinson | Taylor (Autauga) |
| Lovelace | Merrill | Sadler | Thompson (Pike) |
| McClendon | Miller | Shelton | Vann |
| McDanal | Nelson | Shirley | Weaver |
| McDonald | Nettles | Sightler | Whitcomb |
| Martin | Ramey | Snodgrass | White (Covington) |
| Mason | Richardson | Stewart | Wood (Bibb) |
| Mathison | Roberts | Stone | —67 |

And the bill:

H. 322. To repeal Act 627, approved July 10, 1940, entitled, "To prohibit the use of steel traps and similar devices in Lowndes Count, Alabama, and prescribe punishment for violation of this act."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|-----------|-------------------|
| Mr. Speaker | Cox | Howell | Nettles |
| Adams (Dale) | Crocker | Inzer | Ramey |
| Barnett | Davis | Johnston | Richardson |
| Beatty | Denton | Leonard | Roberts |
| Benford | Dobbs (Elmore) | Lovelace | Robinson |
| Bennett | Evans | McClendon | Sadler |
| Black | Ganey | McDanal | Shelton |
| Brannan | Garrett | McDonald | Shirley |
| Broadwater | Gibson | Malone | Sightler |
| Brown | Gillis | Martin | Snodgrass |
| Buckner | Hankins | Mason | Stewart |
| Busby | Harris | Mathison | Thompson (Pike) |
| Callahan | Harrison | Meeks | Vann |
| Cobb | Haynes (Franklin) | Merrill | Weaver |
| Coburn | Haynes (Lowndes) | Miller | Whitcomb |
| Cole | Head | Nelson | White (Covington) |
| | | | —64 |

And the bill:

H. 216. To alter or rearrange the boundaries of the City of Hartselle, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|--------------|----------------|-------------------|-----------|
| Mr. Speaker | Cobb | Gibson | Knight |
| Adams (Dale) | Coburn | Gillis | Leonard |
| Beatty | Cox | Hankins | McClendon |
| Benford | Crocker | Harris | McDanal |
| Bennett | Davis | Harrison | McDonald |
| Black | Denton | Haynes (Franklin) | Martin |
| Broadwater | Dobbs (Elmore) | Haynes (Lowndes) | Mason |
| Brown | Duffee | Head | Mathison |
| Buckner | Evans | Howell | Meeks |
| Busby | Ganey | Inzer | Merrill |
| Callahan | Garrett | Johnston | Miller |

| | | | |
|------------|-----------|------------------|-------------------|
| Nelson | Robinson | Stewart | Vann |
| Nettles | Sadler | Stone | Weaver |
| Ramey | Shelton | Taylor (Autauga) | Whitcomb |
| Richardson | Shirley | Thompson (Pike) | White (Covington) |
| Roberts | Snodgrass | | |

—62

And the bill:

H. 258. To amend Section Four of an act entitled "An Act to ratify, heal and cure an Act of the Legislature of Alabama, approved September 6, 1927, and entitled: "An Act To Provide for the election of a county Superintendent of Education of Morgan County, Alabama, by the Qualified Electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officers;" to confirm and validate the election held under and in accordance with the provisions of said Act, and the election of George T. Woodruff as County Superintendent of Education of Morgan County at said election; to fix the term of office of the County Superintendent of Education of Morgan County; to prescribe his salary and the manner of payment; to define his qualifications, powers and duties and to provide for the election of his successors in office," approved March 5th, 1931 so that the salary of the County Superintendent of Education of Morgan County, Alabama, shall be \$4500.00 per year instead of \$3600.00 per year as now provided, beginning July 1, 1947.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|----------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Inzer | Richardson |
| Adams (Dale) | Duffee | Knight | Roberts |
| Beatty | Evans | Leonard | Robinson |
| Bennett | Faulk | Lovlace | Sadler |
| Black | Ganey | McDanal | Shelton |
| Brannan | Garrett | McDonald | Shirley |
| Broadwater | Gibson | Malone | Sightler |
| Busby | Gillis | Mason | Snodgrass |
| Callahan | Hankins | Mathison | Stewart |
| Cobb | Harris | Meeks | Taylor (Autauga) |
| Coburn | Harrison | Merrill | Taylor (Hale) |
| Cox | Haynes (Franklin) | Miller | Vann |
| Crocker | Haynes (Lowndes) | Nelson | Weaver |
| Davis | Head | Nettles | Whitcomb |
| Denton | Howell | Ramey | White (Covington) |

—60

And the bill:

H. 259. To provide for the appointment of a Deputy Clerk of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Inzer | Roberts |
| Adams (Dale) | Dobbs (Elmore) | Johnston | Robinson |
| Benford | Doughty | Leonard | Sadler |
| Black | Duffee | McClendon | Shelton |
| Brassell | Evans | McDanal | Shirley |
| Broadwater | Ganey | McDonald | Snodgrass |
| Brown | Garrett | Martin | Stewart |
| Buckner | Gibson | Mason | Stone |
| Busby | Hankins | Mathison | Taylor (Autauga) |
| Callahan | Harris | Merrill | Taylor (Hale) |
| Cobb | Harrison | Miller | Vann |
| Coburn | Haynes (Franklin) | Nelson | Weaver |
| Cox | Haynes (Lowndes) | Nettles | Whitcomb |
| Crocker | Head | Ramey | White (Covington) |
| Davis | Howell | Richardson | |

—59

And the bill:

H. 260. For the relief of John H. Green.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|-------------------|
| Mr. Speaker | Doughty | Johnston | Roberts |
| Adams (Dale) | Duffee | Kaul | Robinson |
| Benford | Evans | Leonard | Sadler |
| Black | Ganey | Lovelace | Shirley |
| Brassell | Garrett | McClendon | Sightler |
| Broadwater | Gibson | McDanal | Snodgrass |
| Buckner | Gillis | McDonald | Stewart |
| Busby | Hankins | Martin | Stone |
| Cobb | Harris | Mathison | Taylor (Autauga) |
| Coburn | Harrison | Merrill | Thompson (Pike) |
| Cox | Haynes (Franklin) | Miller | Vann |
| Crocker | Haynes (Lowndes) | Nelson | Weaver |
| Davis | Head | Ramey | Whitcomb |
| Denton | Howell | Richardson | White (Covington) |
| Dobbs (Elmore) | Inzer | | |

—58

And the bill:

H. 263. To provide for the appointment of a Deputy Register of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

| | | | |
|--------------|------------|----------|--------|
| Mr. Speaker | Black | Buckner | Cobb |
| Adams (Dale) | Brannan | Busby | Coburn |
| Benford | Broadwater | Callahan | Cole |

| | | | |
|----------------|-------------------|------------|-------------------|
| Cox | Harris | McDonald | Shelton |
| Crocker | Harrison | Martin | Shirley |
| Davis | Haynes (Franklin) | Mason | Sightler |
| Denton | Haynes (Lowndes) | Mathison | Snodgrass |
| Dobbs (Elmore) | Head | Merrill | Stewart |
| Doughty | Howell | Miller | Stone |
| Duffee | Inzer | Nelson | Taylor (Autauga) |
| Evans | Johnston | Nettles | Taylor (Hale) |
| Ganey | Knight | Ramey | Thompson (Pike) |
| Garrett | Leonard | Richardson | Vann |
| Gibson | Lovelace | Roberts | Weaver |
| Gillis | McClendon | Robinson | Whitcomb |
| Hankins | McDanal | Sadler | White (Covington) |

—64

And the bill:

H. 262. To provide that justices of the peace and notaries public ex officio justices of the peace in Beat One in Morgan County, Alabama shall have territorial jurisdiction coextensive with the limits of Morgan County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Inzer | Roberts |
| Adams (Dale) | Dobbs (Elmore) | Knight | Robinson |
| Beatty | Doughty | Leonard | Sadler |
| Benford | Evans | Lovelace | Shelton |
| Brannan | Ganey | McClendon | Shirley |
| Broadwater | Garrett | McDanal | Sightler |
| Buckner | Gibson | McDonald | Snodgrass |
| Busby | Gillis | Mason | Stewart |
| Callahan | Hankins | Mathison | Stone |
| Cobb | Harris | Merrill | Taylor (Autauga) |
| Coburn | Harrison | Miller | Taylor (Hale) |
| Cole | Haynes (Franklin) | Nelson | Vann |
| Cox | Haynes (Lowndes) | Nettles | Weaver |
| Crocker | Head | Ramey | Whitcomb |
| Davis | Howell | Richardson | White (Covington) |

—60

And the bill:

H. 261. To amend an act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as last amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Knight | Robinson |
| Adams (Dale) | Doughty | Leonard | Sadler |
| Beatty | Duffee | Lovelace | Shelton |
| Black | Evans | McClendon | Shirley |
| Brannan | Ganey | McDanal | Sightler |
| Brassell | Garrett | McDonald | Snodgrass |
| Broadwater | Gibson | Martin | Stewart |
| Buckner | Gillis | Mathison | Stone |
| Busby | Hankins | Merrill | Taylor (Autauga) |
| Callahan | Harris | Miller | Taylor (Hale) |
| Cobb | Harrison | Nelson | Thompson (Pike) |
| Coburn | Haynes (Franklin) | Nettles | Vann |
| Cole | Haynes (Lowndes) | Norman | Wallace |
| Cox | Head | Ramey | Weaver |
| Crocker | Inzer | Richardson | Whitcomb |
| Davis | Johnston | Roberts | White (Covington) |
| Denton | | | |

—65

And the bill:

H. 290. To provide for the compensation of election officers in Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | Leonard | Sadler |
| Adams (Dale) | Ganey | Lovelace | Shelton |
| Benford | Garrett | McClendon | Shirley |
| Black | Gibson | McDanal | Sightler |
| Brannan | Gillis | McDonald | Snodgrass |
| Broadwater | Hankins | Martin | Stewart |
| Callahan | Harris | Mason | Stone |
| Cobb | Harrison | Mathison | Taylor (Autauga) |
| Cole | Haynes (Franklin) | Merrill | Taylor (Hale) |
| Cox | Haynes (Lowndes) | Miller | Vann |
| Crocker | Head | Nelson | Wallace |
| Davis | Howell | Ramey | Weaver |
| Denton | Inzer | Richardson | Whitcomb |
| Dobbs (Elmore) | Johnston | Roberts | White (Covington) |
| Doughty | Knight | Robinson | Wood (Bibb) |
| Duffee | | | |

—61

And the bill:

H. 291. To provide for the compensation of jurors in Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|-------------------|
| Mr. Speaker | Doughty | Lovelace | Sadler |
| Adams (Dale) | Evans | McClendon | Shelton |
| Benford | Garrett | McDanal | Shirley |
| Black | Gibson | McDonald | Sightler |
| Brannan | Gillis | Martin | Snodgrass |
| Broadwater | Hankins | Mason | Stewart |
| Buckner | Harris | Mathison | Stone |
| Callahan | Harrison | Meeks | Taylor (Autauga) |
| Cobb | Haynes (Franklin) | Merrill | Taylor (Hale) |
| Coburn | Haynes (Lowndes) | Miller | Vann |
| Cole | Head | Nelson | Wallace |
| Cox | Howell | Nettles | Weaver |
| Crocker | Inzer | Ramey | Whitcomb |
| Davis | Johnston | Richardson | White (Covington) |
| Denton | Knight | Roberts | Wood (Bibb) |
| Dobbs (Elmore) | Leonard | Robinson | |

—63

And the bill:

H. 307. To fix the Ex Officio fees of the Clerk of the Circuit Court of Talladega County, Alabama at the sum of \$1800.00 per year; to provide for the manner of payment of same; and to repeal all laws or parts of laws in conflict therewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|-------------------|
| Mr. Speaker | Ganey | Lovelace | Robinson |
| Adams (Dale) | Garrett | McClendon | Sadler |
| Benford | Gibson | McDanal | Shelton |
| Black | Gillis | McDonald | Shirley |
| Brannan | Hankins | Martin | Sightler |
| Broadwater | Harris | Mathison | Snodgrass |
| Buckner | Haynes (Franklin) | Meeks | Stewart |
| Callahan | Haynes (Lowndes) | Merrill | Taylor (Hale) |
| Cobb | Head | Miller | Vann |
| Coburn | Merrill | Nelson | Wallace |
| Cox | Inzer | Nettles | Weaver |
| Denton | Johnston | Ramey | Whitcomb |
| Dobbs (Elmore) | Knight | Richardson | White (Covington) |
| Evans | Leonard | Roberts | |

—55

And the bill:

H. 293. To fix the salary of the Clerk of the Circuit Court of Walker County, Alabama, to provide for the payment of same out of the general fund of said county, and to provide that all fees and commissions allowed by law to said Clerk shall be collected by him and paid over to the Treasurer of the county for the use of general fund; to provide for the employment of two clerks in said Circuit Clerk's office, to fix the amount of their salary, and to provide for the payment of same out of the general fund of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | McClendon | Shelton |
| Adams (Dale) | Ganey | McDanal | Shirley |
| Benford | Garrett | McDonald | Sightler |
| Black | Gillis | Mason | Stewart |
| Brannan | Hankins | Mathison | Stone |
| Broadwater | Harris | Meeks | Taylor (Autauga) |
| Buckner | Harrison | Merrill | Taylor (Hale) |
| Bush | Haynes (Franklin) | Miller | Thomas |
| Cobb | Haynes (Lowndes) | Nelson | Vann |
| Coburn | Head | Nettles | Wallace |
| Cole | Howell | Ramey | Weaver |
| Cox | Inzer | Richardson | Whitcomb |
| Crocker | Johnston | Roberts | White (Covington) |
| Denton | Knight | Robinson | White (Perry) |
| Dobbs (Elmore) | Leonard | Sadler | Wood (Bibb) |
| Doughty | Lovlace | | |

—62

And the bill:

H. 294. To fix the salary of the Sheriff of Walker County, Alabama; to provide for payment of the same out of the General Fund of the County; to provide that all fees and commissions now allowed the Sheriff for services rendered shall be collected by him and paid over to the Treasurer of the County for the use of the General Fund of the County; to provide for the employment of deputies, including a chief deputy, jailers, and an office clerk or bookkeeper in the office of Sheriff of Walker County; to fix their salaries; to provide for the payment of same out of the General Fund of the County; to provide for the expenses of private motor vehicles used by the Sheriff and his deputies in the performance of their official duties; to provide for the payment of such expenses out of the General Fund of the County; to provide for other necessary expenses of the office of Sheriff of Walker County, including stamps, stationery, books, office supplies, equipment and furnishings; to provide for the payment of such expenses out of the General Fund of the County; and to repeal all laws and parts of laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

| | | | |
|--------------|---------|----------------|-------------------|
| Mr. Speaker | Brown | Crocker | Gibson |
| Adams (Dale) | Buckner | Denton | Gillis |
| Barnett | Busby | Dobbs (Elmore) | Hankins |
| Black | Cobb | Doughty | Harrison |
| Brannan | Coburn | Duffee | Haynes (Franklin) |
| Brassell | Cole | Evans | Haynes (Lowndes) |
| Broadwater | Cox | Garrett | Head |

| | | | |
|-----------|------------|------------------|-------------------|
| Howell | Miller | Shelton | Thomas |
| Inzer | Nettles | Shirley | Vann |
| Leonard | Ramey | Sightler | Wallace |
| McClendon | Richardson | Snodgrass | Weaver |
| McDanal | Roberts | Stone | Whitcomb |
| McDonald | Robinson | Taylor (Autauga) | White (Covington) |
| Mathison | Sadler | Taylor (Hale) | Wood (Bibb) |
| Merrill | Sellers | | |

—58

And the bill:

H. 4. Amending Section 2, Title 36 of the 1940 Code, which relates to penalties for operation of motor vehicles upon the highways by persons who are habitual users of narcotic drugs or who are intoxicated.

Was taken up.

Mr. Wood (Bibb) offered the following amendment to the bill, H. 4:

Amend House Bill No. 4 by deleting the following words: "All fines collected for violation of this Section shall be paid into the Highway Patrol Fund", and inserting in lieu thereof:

"All fines collected for violation of this Section resulting from arrests by State officers shall be paid into the Highway Patrol Fund; all fines so collected for violations resulting from arrests by county and municipal officers shall be disbursed as is otherwise provided for by law."

And the amendment was adopted.

Yeas 72; Nays 1.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Larkins | Sadler |
| Adams (Dale) | Dobbs (Fayette) | Leonard | Sellers |
| Barnett | Doughty | McClendon | Shelton |
| Beatty | Duffee | McDanal | Shirley |
| Benford | Evans | McDonald | Sightler |
| Bennett | Faulk | Martin | Snodgrass |
| Black | Ganey | Mason | Stewart |
| Brannan | Garrett | Mathison | Still |
| Brassell | George | Meeks | Stone |
| Broadwater | Gibson | Merrill | Taylor (Autauga) |
| Brown | Hankins | Miller | Taylor (Hale) |
| Buckner | Harrison | Nelson | Thomas |
| Bush | Haynes (Franklin) | Nettles | Thompson |
| Coburn | Head | Norman | son (Crenshaw) |
| Cole | Hornsby | Pinkston | Vann |
| Cox | Howell | Ramey | Weaver |
| Crocker | Inzer | Richardson | White (Covington) |
| Davis | Knight | Roberts | Wood (Bibb) |
| Denton | | | |

—72

Nays: Mr. Cobb.

—1

And said bill, H. 4, as amended, was read a third time at length and passed.

Yeas 76; Nays 1.

Yeas:

| | | | |
|--------------|------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Leonard | Shelton |
| Adams (Dale) | Dobbs (Fayette) | McClendon | Shirley |
| Barnett | Doughty | McDanal | Sightler |
| Beatty | Duffee | McDonald | Stewart |
| Benford | Evans | Martin | Still |
| Bennett | Faulk | Mason | Taylor (Autauga) |
| Black | Ganey | Mathison | Taylor (Hale) |
| Brannan | Garrett | Meeks | Thomas |
| Brassell | George | Merrill | Thomp- |
| Broadwater | Gibson | Miller | son (Crenshaw) |
| Buckner | Gillis | Nelson | Thompson (Pike) |
| Bush | Hankins | Nettles | Vann |
| Callahan | Harrison | Norman | Wallace |
| Cobb | Haynes (Lowndes) | Pinkston | Ward |
| Coburn | Head | Richardson | Weaver |
| Cole | Howell | Roberts | Whitcomb |
| Cox | Inzer | Robinson | White (Covington) |
| Crocker | Knight | Sadler | White (Perry) |
| Davis | Larkins | Sellers | Wood (Bibb) |
| Denton | | | |

—76

Nays: Mr. Stone.

—1

And the bill:

S. 12. To exempt any disabled veteran of World War II who has received or who in the future may receive a motor vehicle from the Administrator of Veterans' Affairs from paying license fees and ad valorem taxes for such motor vehicle if operated only for the veteran's private use.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-----------------|-------------------|------------|-------------------|
| Mr. Speaker | Faulk | McDonald | Shirley |
| Adams (Dale) | Ganey | Martin | Sightler |
| Barnett | Garrett | Mason | Snodgrass |
| Benford | George | Mathison | Still |
| Brannan | Gibson | Meeks | Stone |
| Broadwater | Gillis | Merrill | Taylor (Autauga) |
| Buckner | Hankins | Miller | Taylor (Hale) |
| Callahan | Haynes (Franklin) | Nelson | Thomas |
| Cobb | Haynes (Lowndes) | Nettles | Thomp- |
| Coburn | Head | Pinkston | son (Crenshaw) |
| Crocker | Howell | Ramey | Vann |
| Davis | Inzer | Richardson | Wallace |
| Denton | Johnston | Roberts | Ward |
| Dobbs (Elmore) | Knight | Robinson | Weaver |
| Dobbs (Fayette) | Larkins | Sadler | White (Covington) |
| Duffee | Leonard | Sellers | White (Perry) |
| Dumas | McClendon | Shelton | Wood (Bibb) |
| Evans | | | |

—68

And the bill:

H. 264. To define further the crime of bribery; making it a felony for any person to bribe a contestant or official in an athletic

contest, or for any person connected with an athletic contest to take a bribe.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|---------------------|
| Mr. Speaker | Dumas | Knight | Sellers |
| Adams (Dale) | Evans | Larkins | Shelton |
| Adams (Jefferson) | Faulk | Leonard | Shirley |
| Barnett | Ganey | McClendon | Sightler |
| Beatty | Garrett | McDonald | Snodgrass |
| Benford | George | Mason | Stone |
| Broadwater | Gibson | Mathison | Taylor (Autauga) |
| Buckner | Gillis | Meeks | Taylor (Hale) |
| Callahan | Hankins | Merrill | Thomas |
| Cobb | Harris | Miller | Thompson (Crenshaw) |
| Coburn | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Cox | Head | Pinkston | Vann |
| Crocker | Hornsby | Ramey | Wallace |
| Davis | Howell | Richardson | Weaver |
| Denton | Ingalls | Roberts | White (Covington) |
| Dobbs (Elmore) | Inzer | Robinson | White (Perry) |
| Dobbs (Fayette) | Johnston | Rogers | Wood (Bibb) |
| Duffee | Kaul | Sadler | |

—71

And the bill:

H. 214. To provide equality and prevent inequality in the levy and collection of taxes applicable to or paid by the Banks doing business in the State of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 5.

Yeas:

| | | | |
|-------------------|-------------------|-----------|---------------------|
| Mr. Speaker | Dobbs (Fayette) | Knight | Richardson |
| Adams (Dale) | Duffee | Larkins | Roberts |
| Adams (Jefferson) | Faulk | McClendon | Rogers |
| Beatty | Ganey | McDonald | Sellers |
| Benford | Garrett | Malone | Shirley |
| Black | George | Martin | Sightler |
| Brannan | Gillis | Mason | Snodgrass |
| Broadwater | Haynes (Franklin) | Mathison | Sullivan |
| Buckner | Head | Merrill | Taylor (Hale) |
| Busby | Howell | Miller | Thomas |
| Coburn | Ingalls | Nettles | Thompson (Crenshaw) |
| Cox | Inzer | Norman | Wallace |
| Davis | Johnston | Pinkston | Ward |
| Denton | Kaul | Ramey | |

—55

Nays:

| | | | |
|----------|--------|--------|-------------|
| Messrs.: | Gibson | Weaver | Wood (Bibb) |
| Barnett | Meeks | | |

—5

And the bill:

S. 100. To amend Section 103 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 313, approved June 28, 1943.

Was read a third time at length and passed.

Yeas 71; Nays 3.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dobbs (Fayette) | Larkins | Rogers |
| Adams (Dale) | Duffee | McDanal | Sadler |
| Adams (Jefferson) | Dumas | McDonald | Sellers |
| Barnett | Ganey | Malone | Shelton |
| Beatty | Garrett | Martin | Shirley |
| Benford | George | Mason | Sightler |
| Black | Gibson | Mathison | Snodgrass |
| Brannan | Hankins | Meeks | Taylor (Hale) |
| Broadwater | Harris | Merrill | Thomas |
| Buckner | Harrison | Miller | Thompson (Crenshaw) |
| Busby | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Bush | Haynes (Lowndes) | Nettles | Vann |
| Callahan | Head | Norman | Wallace |
| Cobb | Howell | Pinkston | Ward |
| Coburn | Ingalls | Ramey | White (Covington) |
| Cox | Inzer | Richardson | White (Perry) |
| Davis | Kaul | Roberts | Wood (Bibb) |
| Dobbs (Elmore) | Knight | Robinson | |

—71

Nays: Messrs. Crocker, Denton and Evans.

—3

And the bill:

H. 219. To amend Title 2, Sections 674 and 675 of the Code of Alabama 1940, as amended by Act No. 499, Senate 324, approved July 8, 1943.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-----------------|-------------------|------------|---------------------|
| Mr. Speaker | Duffee | Knight | Shelton |
| Adams (Dale) | Dumas | Leonard | Shirley |
| Beatty | Faulk | Lovelace | Sightler |
| Benford | Ganey | McDonald | Snodgrass |
| Black | Garrett | Malone | Still |
| Brannan | George | Martin | Stone |
| Broadwater | Gibson | Mason | Sullivan |
| Buckner | Gillis | Mathison | Taylor (Hale) |
| Busby | Givhan | Meeks | Thomas |
| Bush | Hankins | Merrill | Thompson (Crenshaw) |
| Callahan | Harris | Miller | Thompson (Pike) |
| Cobb | Harrison | Nelson | Vann |
| Coburn | Haynes (Franklin) | Nettles | Wallace |
| Cox | Haynes (Lowndes) | Ramey | Ward |
| Crocker | Head | Richardson | Weaver |
| Davis | Hornsby | Roberts | White (Perry) |
| Denton | Howell | Robinson | Wood (Bibb) |
| Dobbs (Elmore) | Inzer | Rogers | Wood (Washington) |
| Dobbs (Fayette) | Johnston | Sadler | |
| Doughty | Kaul | Sellers | |

—78

And the bill:

H. 210. To prohibit the manufacture, possession, sale or delivery within this State of adulterated or misbranded cosmetics; providing for the administration and enforcement of the Act by the Department of Agriculture and Industries; and making a violation of the Act or the rules and regulations promulgated by the Board of Agriculture and Industries a misdemeanor.

Was taken up.

Mr. McClendon offered the following amendment to the bill, H. 210:

Amend Subsection A of Section 1 of H. 210 by striking out in lines 9 and 10 of said subsection the following words where same appear, to-wit: "which is intended as a cleansing agent only."

And the amendment offered by Mr. McClendon was adopted.

Yeas 77; Nays 1.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Duffee | Lovelace | Sellers |
| Adams (Dale) | Dumas | McClendon | Shelton |
| Adams (Jefferson) | Evans | McDanal | Shirley |
| Barnett | Faulk | McDonald | Sightler |
| Beatty | Ganey | Malone | Snodgrass |
| Benford | Garrett | Martin | Still |
| Brannan | George | Mason | Sullivan |
| Broadwater | Gibson | Mathison | Taylor (Autauga) |
| Buckner | Hankins | Meeks | Taylor (Hale) |
| Busby | Harris | Merrill | Thagard |
| Bush | Harrison | Miller | Thomas |
| Callahan | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Coburn | Head | Nettles | Vann |
| Cox | Howell | Norman | Wallace |
| Crocker | Inzer | Pinkston | Ward |
| Davis | Kaul | Ramey | Weaver |
| Denton | Knight | Richardson | White (Perry) |
| Dobbs (Elmore) | Larkins | Roberts | Wood (Bibb) |
| Dobbs (Fayette) | Leonard | Robinson | Wood (Washington) |
| Doughty | | | |

—77

Nays: Mr. Gillis.

—1

And said bill, H. 210, as amended, was read a third time at length and passed.

Yeas 72; Nays 1.

Yeas:

| | | | |
|-------------------|-----------------|------------------|----------|
| Mr. Speaker | Coburn | Faulk | Head |
| Adams (Dale) | Cox | Ganey | Howell |
| Adams (Jefferson) | Denton | Garrett | Ingalls |
| Beatty | Dobbs (Elmore) | George | Inzer |
| Benford | Dobbs (Fayette) | Gibson | Kaul |
| Brannan | Doughty | Hankins | Knight |
| Broadwater | Duffee | Harris | Larkins |
| Busby | Dumas | Harrison | Leonard |
| Callahan | Evans | Haynes (Lowndes) | Lovelace |

| | | | |
|-----------|------------|------------------|-------------------|
| McClendon | Miller | Sadler | Thagard |
| McDanal | Nelson | Sellers | Thompson (Pike) |
| McDonald | Nettles | Shelton | Vann |
| Malone | Norman | Shirley | Wallace |
| Martin | Pinkston | Sightler | Ward |
| Mason | Ramey | Still | Weaver |
| Mathison | Richardson | Sullivan | White (Perry) |
| Meeks | Roberts | Taylor (Autauga) | Wood (Bibb) |
| Merrill | Robinson | Taylor (Hale) | Wood (Washington) |

—72

Nays: Mr. Gillis.

—1

And the bill:

H. 217. To simplify and provide for the pleading, practice and procedure and proof in an action against a party, or against a party and his agent, servant or employee involving the act or conduct of any agent, servant or employee.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Inzer | Rogers |
| Adams (Dale) | Dobbs (Fayette) | Knight | Sellers |
| Adams (Jefferson) | Doughty | Leonard | Shelton |
| Barnett | Duffee | McClendon | Shirley |
| Benford | Dumas | McDanal | Sightler |
| Bennett | Evans | McDonald | Snodgrass |
| Brannan | Faulk | Martin | Still |
| Broadwater | Ganey | Mason | Stone |
| Brown | George | Mathison | Taylor (Autauga) |
| Buckner | Gibson | Meeks | Taylor (Hale) |
| Busby | Gillis | Merrill | Thagard |
| Bush | Hankins | Miller | Thompson (Pike) |
| Callahan | Harris | Nelson | Vann |
| Cobb | Harrison | Nettles | Wallace |
| Coburn | Haynes (Franklin) | Ramey | Weaver |
| Cox | Haynes (Lowndes) | Richardson | White (Covington) |
| Crocker | Head | Roberts | White (Perry) |
| Davis | Howell | Robinson | Wood (Washington) |
| Denton | | | |

—73

Nays: Mr. Sadler.

—1

And the Bill:

H. 163. To prescribe the method of selecting the superintendent of education for Coffee County, fixing his term of office, providing the payment of his salary, and repealing all conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

| | | | |
|-------------------|---------|------------|---------|
| Mr. Speaker | Beatty | Brannan | Buckner |
| Adams (Dale) | Benford | Broadwater | Busby |
| Adams (Jefferson) | Bennett | Brown | Bush |

| | | | |
|-----------------|------------------|------------|-------------------|
| Callahan | Ganey | McClendon | Sellers |
| Cobb | George | McDonald | Shelton |
| Cox | Gillis | Martin | Shirley |
| Crocker | Hankins | Mason | Sightler |
| Davis | Harris | Mathison | Still |
| Denton | Harrison | Meeks | Stone |
| Dobbs (Elmore) | Haynes (Lowndes) | Merrill | Taylor (Hale) |
| Dobbs (Fayette) | Head | Miller | Thompson (Pike) |
| Doughty | Howell | Nelson | Vann |
| Duffee | Kaul | Ramey | Wallace |
| Dumas | Knight | Richardson | Weaver |
| Evans | Larkins | Roberts | White (Covington) |
| Faulk | Leonard | Sadler | Wood (Washington) |

—64

And the Bill:

(With amendment):

H. 184. To Provide for the Recognition and Enforcement through Action in the Courts of this State of the Liability for Taxes Imposed by the Laws of Another State; And to Provide Method of Proof of Authority of Official of Another State Attempting to Enforce Collection of Taxes Due to Such State; And to Define the Term "Taxes" as used in this Act; And to Provide an Effective Date for this Act.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said amendment being as follows:

Amend H. 184 (b) of Section 2 to read:

"(b) Any and all taxes (or contributions under an Unemployment Compensation law or other contributions in the nature of a tax) whether such taxes or contributions are assessed or not, and licenses and fees."

And the amendment was adopted.

Yeas 67; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Knight | Shelton |
| Adams (Dale) | Duffee | McClendon | Shirley |
| Adams (Jefferson) | Dumas | McDonald | Sightler |
| Beatty | Faulk | Martin | Snodgrass |
| Benford | Ganey | Mason | Still |
| Bennett | George | Mathison | Stone |
| Brannan | Gibson | Meeks | Taylor (Autauga) |
| Broadwater | Gillis | Merrill | Taylor (Hale) |
| Buckner | Hankins | Miller | Thagard |
| Bush | Harrison | Nelson | Thompson (Pike) |
| Callahan | Haynes (Franklin) | Nettles | Vann |
| Cobb | Haynes (Lowndes) | Pinson | Weaver |
| Cox | Head | Ramey | Whitcomb |
| Crocker | Hornsby | Richardson | White (Covington) |
| Davis | Howell | Roberts | White (Perry) |
| Denton | Inær | Robinson | Wood (Washington) |
| Dobbs (Elmore) | Johnston | Sellers | |

—67

And said bill, H. 184, as amended, was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Inzer | Sellers |
| Adams (Dale) | Doughty | Johnston | Shelton |
| Adams (Jefferson) | Duffee | Knight | Shirley |
| Beatty | Dumas | Larkins | Sightler |
| Benford | Evans | McClendon | Snodgrass |
| Brannan | Faulk | McDonald | Still |
| Broadwater | Ganey | Martin | Sullivan |
| Brown | Garrett | Mason | Taylor (Autauga) |
| Buckner | George | Mathison | Taylor (Hale) |
| Busby | Gibson | Meeks | Thagard |
| Bush | Gillis | Merrill | Thompson (Pike) |
| Callahan | Hankins | Miller | Vann |
| Cobb | Harrison | Nettles | Weaver |
| Cox | Haynes (Franklin) | Ramey | Whitcomb |
| Crocker | Haynes (Lowndes) | Richardson | White (Covington) |
| Denton | Head | Roberts | Wood (Bibb) |
| Dobbs (Elmore) | Ingalls | Robinson | Wood (Washington) |

—68

RECESS

On motion of Mr. Stone the House recessed until three o'clock this afternoon.

AFTERNOON SESSION

The hour of three o'clock, P.M., having arrived, the House reconvened.

RESOLUTION

By Mr. Roberts:

H.J.R. 21. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Friday, June 20, 1947, at 10 o'clock A.M.

On motion of Mr. Roberts the rules were suspended and H.J.R. 21 was adopted.

BILLS ON THIRD READING RESUMED

H. 83. To amend Section 232 of Title 14 of the 1940 Code, which makes it a misdemeanor for any person to give a worthless check or draft.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 7.

Yeas:

| | | | |
|-----------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Knight | Sellers |
| Adams (Dale) | Dumas | Larkins | Shelton |
| Benford | Evans | McClendon | Sightler |
| Bennett | Faulk | Martin | Taylor (Autauga) |
| Brannan | Ganey | Mason | Taylor (Hale) |
| Brassell | Garrett | Meeks | Thagard |
| Broadwater | George | Merrill | Thomas |
| Busby | Gibson | Miller | Thompson (Pike) |
| Bush | Hankins | Nettles | Vann |
| Callahan | Harris | Pinson | Wallace |
| Coburn | Haynes (Franklin) | Ramey | Ward |
| Cox | Haynes (Lowndes) | Richardson | Weaver |
| Davis | Head | Roberts | White (Perry) |
| Dobbs (Elmore) | Howell | Robinson | Wood (Washington) |
| Dobbs (Fayette) | Kaul | | |

—58

Nays:

| | | | |
|-----------|----------|----------|-------------------|
| Messrs. : | Harrison | Johnston | White (Covington) |
| Givhan | Inzer | Stone | Wood (Bibb) |

—7

RESOLUTION

The following resolution was introduced:

By Mr. Martin:

H.J.R. 22. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that HB 43 by Mr. Martin, which has passed both Houses of the Legislature be known as the Coleman-Martin Bill.

On motion of Mr. Martin the rules were suspended and H.J.R. 22 was adopted.

By Mr. Snodgrass:

H.R. 23. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that on each day when call of the calendar is made, uncontested local bills shall be first taken up by a call of the counties.

On motion of Mr. Snodgrass the rules were suspended and H.R. 23 was adopted.

BILLS ON THIRD READING RESUMED

H 87 To repeal all laws or parts of laws that require the payment of a license, tax, excise, or fee for the privilege of taking, capturing, or killing foxes.

Was taken up.

The motion of Mr. Taylor (Autauga) to recommit the bill, H. 87, was lost.

Mr. Garrett offered the following substitute for the bill, H. 87:

A BILL TO BE ENTITLED AN ACT

To create for each county a Board of Fox Control with power to offer a bounty for foxes killed in the county, providing for payment of the bounty.

Be it Enacted by the Legislature of Alabama:

Section 1. There is created for each county a Board of Fox Control, consisting of the chairman of the county governing body, the President of the Alabama Foxhunters' Association, and the State Director of Conservation. The board shall meet at the call of the chairman of the county governing body, who shall be president of the board. Action of the board shall be taken by a majority vote of its membership. Members of the board shall serve without compensation.

Section 2. Whenever in its opinion the public health or welfare requires reduction of the number of foxes in the county, the board may order, by formal resolution filed with the Judge of Probate and the Director of Conservation, the payment, under such conditions and through such procedures as it may prescribe, of a bounty of two dollars for each fox killed within the county. The order of the board may be rescinded, by a resolution similarly filed, at any time.

Section 3. The governing body of each county is hereby authorized and directed to appropriate sufficient moneys from general funds of the county for the payment of bounties ordered by the board under this Act. By the tenth day of each month, the chairman of the county governing body shall certify to the Director of Conservation the amount of bounties paid during the preceding month, whereupon the Director of Conservation shall authorize and direct the State Comptroller to draw a proper warrant against the Conservation Fund in favor of the county as reimbursement for one-half such amount. There is hereby continuously appropriated from the Conservation Fund such sum as may be necessary for the purpose of this Section.

Section 4. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Harris the bill, H. 87, and pending substitute, were postponed until the Tenth Legislative Day.

And the Bill:

H. 113. To Amend Section 318, Title 15, of the Code of 1940.
Was taken up.

Mr. Mason offered the following substitute for the bill, H. 113:

A BILL TO BE ENTITLED AN ACT

To Amend Section 318, Title 15, of the 1940 Code of Alabama, as Amended by Act No. 251, General Acts of 1943, Approved June 24, 1943.

Be it Enacted by the Legislature of Alabama:

SECTION 1. That Section 318, Title 15 of the 1940 Code of Alabama, as amended by Act No. 251, General Acts of 1943. approved June 24, 1943 be and the same is hereby amended to read as follows:

"Section 318. When any person indicted for a capital offense is without counsel and the trial judge, after due investigation, is satisfied that the defendant is unable to employ counsel, the court must appoint counsel for him not exceeding two, who must be allowed access to him, if confined, at all reasonable hours, and as compensation for said defense the attorney or attorneys so appointed shall be entitled in each case to a fee fixed by the judge presiding at said trial, which fee shall be not less than fifty (\$50.00) dollars, nor more than one hundred (\$100.00) dollars, to be paid on the warrant of the State Comptroller from the general funds in the State Treasury. Said presiding judge in the case shall certify to the Comptroller that 'The attorney or attorneys appointed by the court in the case of Alabama vs . . . (name of defendant) has (or, have) performed the service required of him (or them) in representing the said defendant and that the fee therefor has been fixed in the sum of dollars (designate amount of fee).' Whereupon a warrant shall be drawn in favor of the attorney or attorneys upon the general funds of the Treasury of the State of Alabama in payment therefor."

And the substitute was adopted.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-----------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | Knight | Sellers |
| Adams (Daie) | Evans | Larkins | Shelton |
| Barnett | Faulk | Lovlace | Shirley |
| Benford | Frasier | McDanal | Sightler |
| Bennett | Ganey | Martin | Still |
| Brannan | George | Mason | Stone |
| Brassell | Gibson | Meeks | Sullivan |
| Broadwater | Givhan | Merrill | Taylor (Autauga) |
| Brown | Hankins | Miller | Taylor (Hale) |
| Busby | Harris | Molette | Thomas |
| Bush | Harrison | Nettles | Thompson (Pike) |
| Callahan | Haynes (Franklin) | Pinkston | Vann |
| Cobb | Havnes (Lowndes) | Pinson | Wallace |
| Coburn | Head | Pruitt | Ward |
| Cole | Hornsby | Ramey | Weaver |
| Cox | Howell | Richardson | White (Covington) |
| Davis | Ingalls | Roberts | White (Perry) |
| Dobbs (Elmore) | Inzer | Robinson | Wood (Bibb) |
| Dobbs (Fayette) | Johnston | Sadler | Wood (Washington) |
| Duffee | Kaul | | |

And said bill, H. 113, as amended by the substitute offered by Mr. Mason, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-----------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | McClendon | Sightler |
| Adams (Dale) | Faulk | Martin | Stewart |
| Barnett | Frasier | Mason | Still |
| Benford | Ganey | Meeks | Stone |
| Bennett | George | Merrill | Sullivan |
| Brannan | Gibson | Miller | Taylor (Autauga) |
| Brassell | Givhan | Molette | Taylor (Hale) |
| Broadwater | Hankins | Nelson | Thomas |
| Brown | Harrison | Nettles | Thompson |
| Busby | Haynes (Franklin) | Pinkston | son (Crenshaw) |
| Bush | Haynes (Lowndes) | Pinson | Thompson (Pike) |
| Callahan | Head | Pruitt | Vann |
| Cobb | Howell | Ramey | Wallace |
| Coburn | Ingalls | Richardson | Ward |
| Cole | Inzer | Roberts | Weaver |
| Davis | Johnston | Robinson | White (Covington) |
| Dobbs (Elmore) | Kaul | Sadler | White (Perry) |
| Dobbs (Fayette) | Knight | Sellers | Wood (Bibb) |
| Duffee | Larkins | Shelton | Wood (Washington) |
| Dumas | Lovelace | Shirley | |

—78

And the Bill:

H. 136. To propose an amendment to the Constitution which will permit every county to levy and collect a tax, not exceeding four mills on each dollar of taxable property, to be used solely for acquiring, constructing, operating, equipping, or maintaining county hospitals, or other public hospitals, nonprofit hospitals and public health facilities; ordering a special election thereon and providing for the payment of the expenses of the election.

Was taken up.

Messrs. Sullivan, Johnston, Stone, Ingalls, Pinkston, Busby, Sightler and Dumas offered the following amendment to the bill, H. 136:

Amendment to H. B. 136 by Messrs. Sullivan, Johnston, Stone, Ingalls, Pinkston, Busby, Sightler and Dumas.

Amend the caption of said bill by inserting the words "except Mobile, Montgomery and Jefferson Counties" between the words "county" and "to" in the second line of the caption.

Also amend Section 1 thereof by inserting the words "except Mobile, Montgomery and Jefferson Counties" between the words "county" and "must" in line 4 of said section.

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-----------------|-------------------|------------|---------------------|
| Mr. Speaker | Evans | Larkins | Sightler |
| Adams (Dale) | Faulk | Lovelace | Stewart |
| Barnett | Ganey | McClendon | Stone |
| Benford | George | Mason | Sullivan |
| Bennett | Gibson | Meeks | Taylor (Autauga) |
| Brannan | Givhan | Merrill | Taylor (Hale) |
| Brassell | Hankins | Miller | Thagard |
| Brown | Harris | Molette | Thomas |
| Busby | Harrison | Nelson | Thompson (Crenshaw) |
| Bush | Haynes (Franklin) | Nettles | Vann |
| Callahan | Haynes (Lowndes) | Pinkston | Wallace |
| Cobb | Head | Pruitt | Ward |
| Coburn | Howell | Ramey | Weaver |
| Cox | Ingalls | Richardson | White (Covington) |
| Dobbs (Elmore) | Inzer | Roberts | White (Perry) |
| Dobbs (Fayette) | Johnston | Sadler | Wood (Bibb) |
| Duffee | Kaul | Sellers | Wood (Washington) |
| Dumas | Knight | Shelton | |

—71

And said bill, H. 136, proposing an amendment to the Constitution, was read a third time at length as amended and passed.

Yeas 72; Nays 3.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Kaul | Sellers |
| Adams (Dale) | Dumas | Knight | Shelton |
| Adams (Jefferson) | Evans | Larkins | Sightler |
| Barnett | Faulk | Lovelace | Snodgrass |
| Benford | Ganey | McClendon | Stewart |
| Bennett | George | Martin | Sullivan |
| Brannan | Gibson | Mason | Taylor (Autauga) |
| Broadwater | Givhan | Meeks | Taylor (Hale) |
| Brown | Hankins | Merrill | Thagard |
| Busby | Harris | Miller | Thomas |
| Bush | Harrison | Molette | Thompson (Pike) |
| Callahan | Haynes (Franklin) | Nelson | Vann |
| Cobb | Haynes (Lowndes) | Nettles | Wallace |
| Coburn | Hornsby | Pinkston | Ward |
| Cox | Howell | Pruitt | Whitcomb |
| Crocker | Ingalls | Ramey | White (Covington) |
| Dobbs (Elmore) | Inzer | Richardson | White (Perry) |
| Dobbs (Fayette) | Johnston | Roberts | Wood (Washington) |

—72

Nays: Messrs. Brassell, Cole and McDanal.

—3

And the Bill:

H. 200. To amend Section 25 of Title 34 of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Larkins | Shelton |
| Adams (Dale) | Duffee | McClendon | Shirley |
| Adams (Jefferson) | Dumas | McDanal | Sightler |
| Barnett | Faulk | Martin | Snodgrass |
| Benford | George | Mason | Stewart |
| Bennett | Gibson | Meeks | Stone |
| Brannan | Givhan | Merrill | Taylor (Autauga) |
| Brassell | Hankins | Miller | Taylor (Hale) |
| Broadwater | Harris | Molette | Thagard |
| Brown | Harrison | Nelson | Thomas |
| Busby | Haynes (Franklin) | Pruitt | Thompson (Pike) |
| Bush | Head | Ramey | Vann |
| Callahan | Howell | Richardson | Wallace |
| Cobb | Ingalls | Roberts | Ward |
| Coburn | Inzer | Robinson | White (Covington) |
| Cole | Kaul | Sadler | Wood (Bibb) |
| Cox | Knight | Sellers | Wood (Washington) |
| Dobbs (Elmore) | | | |

—69

And the Bill:

H. 202. To amend Section 666, Title 7, 1940 Code of Alabama relating to wages and salary of deceased employees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Larkins | Shelton |
| Adams (Dale) | Dobbs (Fayette) | McClendon | Shirley |
| Adams (Jefferson) | Duffee | McDanal | Sightler |
| Barnett | Dumas | Martin | Stewart |
| Benford | Faulk | Mason | Still |
| Bennett | Ganey | Meeks | Stone |
| Brannan | Gibson | Merrill | Taylor (Autauga) |
| Brassell | Gillis | Miller | Taylor (Hale) |
| Broadwater | Givhan | Molette | Thagard |
| Brown | Hankins | Nelson | Thomas |
| Busby | Harris | Nettles | Thompson (Pike) |
| Bush | Harrison | Pruitt | Vann |
| Callahan | Haynes (Franklin) | Ramey | Wallace |
| Cobb | Howell | Richardson | Ward |
| Coburn | Inzer | Roberts | White (Covington) |
| Cole | Johnston | Sadler | Wood (Bibb) |
| Cox | Knight | Sellers | Wood (Washington) |

—68

BILL POSTPONED

On motion of Mr. Martin the bill, H. 182, and pending amendment, was postponed until the Tenth Legislative Day.

BILLS ON THIRD READING RESUMED

S. 115. To amend Sections 18 and 25, Title 32, Code of Alabama of 1940, as amended.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|---------------------|
| Mr. Speaker | Duffee | Knight | Sightler |
| Adams (Dale) | Dumas | Larkins | Stewart |
| Adams (Jefferson) | Evans | Lovelace | Stone |
| Barnett | Faulk | McClendon | Sullivan |
| Benford | Ganey | Martin | Taylor (Autauga) |
| Bennett | Garrett | Mason | Taylor (Hale) |
| Brannan | George | Merrill | Thagard |
| Brassell | Gillis | Miller | Thomas |
| Broadwater | Givhan | Nelson | Thompson (Crenshaw) |
| Brown | Hankins | Nettles | Thompson (Pike) |
| Busby | Harris | Pinkston | Vann |
| Bush | Harrison | Pruitt | Wallace |
| Callahan | Haynes (Lowndes) | Ramey | Ward |
| Cobb | Head | Richardson | Weaver |
| Coburn | Hornsby | Roberts | White (Covington) |
| Cole | Howell | Robinson | White (Perry) |
| Cox | Ingalls | Sellers | Wood (Bibb) |
| Dobbs (Elmore) | Inzer | Shelton | |
| Dobbs (Fayette) | Johnston | Shirley | |

—74

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and presiding officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 12. To exempt any disabled veteran of World War II who has received or who in the future may receive a motor vehicle from the Administrator of Veterans' Affairs from paying license fees and ad valorem taxes for such motor vehicle if operated only for the veteran's private use.

J. E. Spieght,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, reading at length having been dispensed with by a two thirds vote of a quorum present, signed the bill, the title to which is set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 21. Relative to the adjournment of the two Houses until Friday, June 20, 1947 at 10 o'clock A. M.

J. E. Speight,
Secretary.

BILLS ON THIRD READING RESUMED

(With substitute):

H. 315. To provide that any sheriff of the State of Alabama shall in certain cases, be entitled to a sum equivalent to 10 cents per mile, to be taxed as costs, for executing a writ of arrest, or like process, issued by any court of competent jurisdiction of Alabama; and to provide for the payment of said claim.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

Judiciary Committee Substitute to H. B. 315:

A BILL TO BE ENTITLED AN ACT

To provide that any sheriff of the State of Alabama shall in certain cases, be entitled to a sum equivalent to 10 cents per mile, to be taxed as costs, for executing a writ of arrest, or like process, issued by any court of competent jurisdiction of Alabama; and to provide for the payment of said claim.

Be it Enacted by the Legislature of Alabama:

Section 1.

Any sheriff of the State of Alabama, who serves or causes to be served a writ of arrest, or who causes to be arrested, or like process issued by any court of competent jurisdiction, in Alabama, in any criminal or quasi-criminal proceedings, shall be entitled, on conviction of the defendant, to receive for such service a sum equivalent to ten cents per mile for each mile traveled within the county of the arrest from the court house by the most direct route to the point of arrest and return, Mileage for only one trip to make arrest may be charged.

Section 2.

It shall be the duty of the trial court to tax as costs, along with the other costs against the defendant, a sum equivalent to ten cents per mile herein authorized to be paid the sheriff or his deputy in serving such criminal or quasi-criminal process, for the non-payment of which the defendant, in case of misdemeanor, shall be

sentenced to hard labor as by law made and provided for the sentence in such cases for other costs, but in no other instance. Provided that where the sheriff of a county is on a salary that the cost provided for in Section 1 shall be taxed and shall be paid into the general fund of the county.

Section 3.

In cases where the defendant is sentenced to hard labor for the county pursuant to provision herein, or is convicted for the commission of a felony, such mileage shall be paid out of the convict fund of the state as provided by law for the payment of other costs, and such payment shall be in addition to the maximum now provided by law to be paid. That the sheriff of each county shall make an affidavit showing the mileage traveled to and from the place of arrest, together with the name of the defendant, which affidavit is to be filed by the sheriff of each county with the clerk of the court where the case is to be tried or with the judge where there is not a clerk. That the trial judge of such court shall approve the amount shown in the affidavit before the same can be collected by the sheriff as part of the cost.

And said substitute was lost.

Yeas 33; Nays 34.

Yeas:

| | | | |
|----------------|------------------|---------|------------|
| Messrs.: | Faulk | Larkins | Pruitt |
| Adams (Dale) | Garrett | Martin | Ramey |
| Bennett | Givhan | Mason | Richardson |
| Brassell | Hankins | Merrill | Roberts |
| Bush | Haynes (Lowndes) | Miller | Stone |
| Callahan | Head | Molette | Thagard |
| Coburn | Inzer | Nelson | Thomas |
| Dobbs (Elmore) | Johnston | Nettles | Wallace |
| Evans | Knight | | |

—33

Nays:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Duffee | Howell | Stewart |
| Adams (Jefferson) | Dumas | Ingalls | Still |
| Brannan | Ganey | McClendon | Thompson (Pike) |
| Broadwater | George | Meeks | Vann |
| Brown | Gibson | Robinson | Ward |
| Busby | Gillis | Sellers | Weaver |
| Cole | Harris | Shelton | White (Covington) |
| Davis | Harrison | Shirley | Wood (Washington) |
| Dobbs (Fayette) | Haynes (Franklin) | | |

—34

And the motion of Mr. Harris to indefinitely postpone the bill, H. 315, was lost.

Yeas 33; Nays 33.

Yeas:

| | | | |
|-------------------|------------|-------|--------|
| Mr. Speaker | Bennett | Brown | Cole |
| Adams (Jefferson) | Benford | Busby | Davis |
| Barnett | Broadwater | Cobb | Duffee |

| | | | |
|-------------------|----------|----------|------------------|
| George | Johnston | Sellers | Taylor (Autauga) |
| Gibson | Kaul | Shelton | Thompson (Pike) |
| Gillis | Knight | Sightler | Vann |
| Harris | Meeks | Stewart | Ward |
| Haynes (Franklin) | Sadler | Stone | Weaver |
| Ingalls | | | |

—33

Nays:

| | | | |
|-----------------|------------------|------------|-------------------|
| Messrs.: | Dumas | Inzer | Roberts |
| Adams (Dale) | Evans | Larkins | Robinson |
| Brannan | Ganey | McClendon | Still |
| Brassell | Garrett | Martin | Taylor (Hale) |
| Bush | Givhan | Merrill | Thagard |
| Callahan | Hankins | Miller | Thomas |
| Coburn | Harrison | Nelson | Wallace |
| Cox | Haynes (Lowndes) | Pruitt | White (Covington) |
| Dobbs (Elmore) | Head | Ramey | Wood (Washington) |
| Dobbs (Fayette) | Howell | Richardson | |

—38

And on motion of Mr. Harris further consideration of the bill, H. 315, was postponed until the Tenth Legislative Day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 19. Relative to expressing appreciation to the participants of the Southern Governors' Conference for their efforts to equalize nationally the freight rate structure of railroads, and to pledge the support of the Legislature of Alabama to further efforts in the struggle to equalize freight rates.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 22. Relative to the naming of HB 43 the Coleman-Martin Bill.

J. E. Speight,
Secretary.

On motion of Mr. White (Covington) the bill, H. 135 was indefinitely postponed.

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive De-

partment on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:50 A.M. on June 17, 1947.

H. 43

H. 47

H. 109

H. 117

H. 118

H. 119

H. 120

H. 124

H. 125

H. 128

H.J.R. 16

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Sullivan, the House, in accordance with H.J.R. 21 heretofore adopted, adjourned until Friday, June 20, 1947, at 10 o'clock, A.M.

EIGHTH DAY

House of Representatives,
Montgomery, Alabama
Friday, June 20, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Marvin K. Vickers, Sr., pastor of Chisholm Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|----------|------------|----------|
| Mr. Speaker | Benford | Broadwater | Callahan |
| Adams (Dale) | Bennett | Brown | Cobb |
| Adams (Jefferson) | Black | Buckner | Coburn |
| Barnett | Brannan | Busby | Cole |
| Beatty | Brassell | Bush | Cox |

| | | | |
|-------------------|------------------|----------|-------------------|
| Crocker | Haynes (Lowndes) | Merrill | Snodgrass |
| Davis | Head | Miller | Still |
| Denton | Hornsby | Mitchell | Stone |
| Dobbs (Elmore) | Howell | Molette | Sullivan |
| Dobbs (Fayette) | Ingalls | Nelson | Taylor (Autauga) |
| Doughty | Johnston | Nettles | Taylor (Hale) |
| Duffee | Kaul | Norman | Thagard |
| Dumas | Knight | O'Neal | Thompson |
| Evans | Larkins | Pinkston | son (Crenshaw) |
| Faulk | Leonard | Pinson | Thompson (Pike) |
| Frasier | Lovelace | Pruitt | Tucker |
| Ganey | McClendon | Ramey | Vann |
| Garrett | McDanal | Roberts | Wallace |
| George | McDonald | Robinson | Ward |
| Gibson | McGowin | Rogers | Weaver |
| Gillis | McIlwain | Sadler | Whitcomb |
| Givhan | Malone | Sellers | White (Covington) |
| Hankins | Martin | Shelton | White (Perry) |
| Harris | Mason | Shirley | Wood (Bibb) |
| Harrison | Mathison | Sightler | Wood (Washington) |
| Haynes (Franklin) | Meeks | | |

101

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

W. M. BECK,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the seventh legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration.

By Mr. Patterson:

S.J.R. 17. Be it resolved by the Senate, the House concurring, that Senate Bill No. 100, having passed both houses in the Legislature, be known as the Patterson-White (Covington) Bill.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Stone the rules were suspended and the House concurred in and adopted S.J.R. 17 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Mize:

S. 182. To authorize, empower and direct the Board of Revenue or other governing body of Tuscaloosa County to supplement the salary of the Circuit Judge of the Sixth Judicial Circuit of Alabama.

Also:

By Mr. Russell:

S. 174. To authorize and empower the Board of Revenue and Control of Morgan County, Alabama, or other like governing body of said county, to pay from the general fund of said county, the premium on the bond of the Chief Clerk of the Probate Court when the same is made by a Surety Company, and to provide for the repeal of all laws in conflict with this Act and the effective date of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN that at the regular session of the Legislature of Alabama of 1947 a bill substantially as follows will be introduced, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and empower the Board of Revenue and Control of Morgan County, Alabama, or other like governing body of said county, to pay from the general fund of said county, the premium on the bond of the Chief Clerk of the Probate Court when the same is made by a Surety Company, and to provide for the repeal of all laws in conflict with this Act and the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

1. The Board of Revenue and Control of Morgan County, Alabama, or other like governing body of said county are authorized and empowered to pay from the general funds of said county the premium on the bond of the Chief Clerk of the Probate Court when the same is made by a Surety Company.

2. All laws and parts of laws, both general and local, in so far as the same may be in conflict with the provisions of this Act are hereby repealed in so far as the same apply to Morgan County.

3. This Act shall be effective on and after October 1, 1947.

Noble J. Russell
Senator, Second
Senatorial District
Norman W. Harris
W. H. Stewart
Representatives, Morgan
County, Alabama.

STATE OF ALABAMA,
MORGAN COUNTY.

Before me, the undersigned authority in and for said county in said state, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says as follows:

I am now and have been continuously during the dates herein referred to Publisher of the Decatur Daily, which is now and has been during said times a newspaper of general circulation published in Morgan County, Alabama. The foregoing notice was published without cost to the State of Alabama in said Decatur Daily, once a week for four consecutive weeks, said notice having been published in the issues of said paper published on May 7, May 14, May 21, and May 28, all in the year 1947.

B. C. SHELTON

Sworn to and subscribed before me, this 2nd day of June, 1947.

R. H. JERVIS,
Notary Public.

(SEAL)

My Commission Expires Nov. 21, 1949.

Also:

By Mr. Mize:

S. 156. To authorize circuit judges of judicial circuits composed of one county having but one circuit judge to appoint regular bailiffs and fix their terms of office and salaries.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 182. Local Government

S. 174. Local Legislation

S. 156. Local Government

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following house bills and returns same herewith to the House.

H. 159. To authorize and empower the Sheriff of Chambers

County Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the Court of County Commissioners to pay the same by warrant drawn on the treasurer and paid out of the general fund of said county, and to require said deputy to give bond in the sum of \$2000.00, payable to said Sheriff, with conditions as required by law.

Also:

H. 160. To provide for a clerk in the office of the Clerk of the Circuit Court of Chambers County, Alabama; to fix the method and basis of such clerk's employment and compensation, and to designate the fund from which payable. To repeal all laws in conflict herewith; to provide that the partial invalidity of this act shall not affect the remainder thereof; and to fix the time when this act shall become effective.

Also:

H. 17. To authorize the Board of Revenue of Calhoun County, Alabama, to purchase radios, machine guns, and ammunition, and any other equipment that the said Board of Revenue may deem necessary for proper law enforcement for the use of the Sheriff of Calhoun County.

Also:

H. 126. To submit to the qualified voters of the State of Alabama, at the next general election succeeding the present Legislature, for their consideration an amendment to the Constitution of Alabama so as to authorize and empower the Legislature of Alabama, from time to time, by general or local laws to fix, regulate and alter the fees, commission, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessor, Tax Collector, Probate Judge, Circuit Clerk, Sheriff, and Register of the Circuit or Chancery Court, in Talladega County Alabama.

Also:

H. 142. To repeal Act Number 167 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance

of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligation holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

Also:

H. 143. To repeal Act Number 166 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligations holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

Also:

H. 22. To amend Section 2 of Act 156, Local Acts, 1927, entitled, "To provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office", approved July 15, 1927, by changing the annual salary of the County Superintendent of Education of Choctaw County from twenty-five hundred dollars to thirty-six hundred dollars.

Also:

H. 21. To provide further for the registration and payment of claims against the fine and forfeiture fund of Choctaw County which were outstanding on June 9, 1945.

Also:

H. 152. To amend Section 2 of an Act entitled: "An Act To Provide additional duties and confer additional powers on each

member of the Court of County Commissioners of Talladega County, Alabama in supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said Commissioners" Approved February 18, 1927.

Also:

H. 161. To alter or re-arrange the boundary lines of the City of Lanett, Chambers County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Chambers County, Alabama:

Also:

H. 162. To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama.

Also:

H. 205. To amend Section 1 of Act 102, approved June 6, 1935, which relates to the method of selecting and the term of office of the Superintendent of Education for Macon County, by providing for his appointment by the Board of Education for Macon County.

Also:

H. 208. To provide for exemption of property from ad valorem taxation by the City of Huntsville until the fiscal year beginning October 1, 1947, in any area which may be added to the corporate limits of the City of Huntsville by any act of the Legislature of Alabama passed at any time during the session of such Legislature of Alabama beginning on the First Tuesday in May, 1947.

Also:

H. 228. To fix the salary of the Deputy Solicitor of Talladega County, Alabama.

J. E. Speight,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Rules Committee begs leave to report that said Committee, in session, has compared the following engrossed bills with the original bills and finds same correctly engrossed, to-wit:

By Mr. Wood (Bibb):

H. 4. Amending Section 2, Title 36 of the 1940 Code, which relates to penalties for operation of motor vehicles upon the highways by persons who are habitual users of narcotic drugs or who are intoxicated.

Also:

By Mr. Lovelace:

H. 136. To propose an amendment to the Constitution which will permit every county except Mobile, Montgomery and Jefferson Counties to levy and collect a tax, not exceeding four mills on each dollar of taxable property, to be used solely for acquiring, constructing, operating, equipping, or maintaining county hospitals, or other public hospitals, non-profit hospitals and public health facilities; ordering a special election thereon and providing for the payment of the expenses of the election.

Also:

By Mr. Roberts:

H. 184. To Provide for the Recognition and Enforcement through Action in the Courts of this State of the Liability for Taxes Imposed by the Laws of Another State; And to Provide Method of Proof of Authority of Official of Another State Attempting to Enforce Collection of Taxes Due to Such State; And to Define the Term "Taxes" as used in this Act; And to Provide an Effective Date for this Act.

Also:

By Messrs. McClendon, Mathison, Garrett, White (Perry), and Thompson (Pike):

H. 210. To prohibit the manufacture, possession, sale, or delivery within this State of adulterated or misbranded cosmetics; providing for the administration and enforcement of the Act by the Department of Agriculture and Industries; and making a violation of the Act or the rules and regulations promulgated by the Board of Agriculture and Industries a misdemeanor.

W. M. Beck,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 17. To authorize the Board of Revenue of Calhoun County, Alabama to purchase radios, machine guns, ammunition, and any other equipment that the said Board of Revenue may deem necessary for proper law enforcement for the use of the Sheriff of Calhoun County.

Also:

H. 21. To provide further for the registration and payment of claims against the fine and forfeiture fund of Choctaw County which were outstanding on June 9, 1945.

Also:

H. 22. To amend Section 2 of Act 156, Local Acts, 1927, entitled, "To provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office", approved July 15, 1927, by changing the annual salary of the County Superintendent of Education of Choctaw County from twenty-five hundred dollars to thirty-six hundred dollars.

Also:

H. 126. To submit to the qualified voters of the State of Alabama, at the next general election succeeding the present Legislature, for their consideration an amendment to the Constitution of Alabama so as to authorize and empower the Legislature of Alabama, from time to time, by general or local laws to fix, regulate and alter the fees, commission, allowances and salaries, including the method or basis of their compensation, to be charged or received by Tax Assessor, Tax Collector, Probate Judge, Circuit Clerk, Sheriff, and Register of the Circuit or Chancery Court, in Talladega County, Alabama.

Also:

H. 142. To repeal Act Number 167 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligation holders of such Redevelopment Agencies, to

provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

Also:

H. 143. To repeal Act Number 166 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligations holders of such Redevelopment Agencies, to provide for the sale of lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

Also:

H. 152. To amend Section 2 of an Act entitled: "An Act To Provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama in supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said Commissioners" Approved February 18, 1927.

Also:

H. 159. To authorize and empower the Sheriff of Chambers County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the Court of County Commissioners to pay the same by warrant drawn on the treasurer and paid out of the general fund of said County, and to require said deputy to give bond in the sum of \$2000.00 payable to said Sheriff, with conditions as required by law.

Also:

H. 160. To provide for a clerk in the office of the Clerk of the Circuit Court of Chambers County, Alabama; to fix the method and basis of such clerk's employment and compensation, and to designate the fund from which payable. To repeal all laws in

conflict herewith; to provide that the partial invalidity of this act shall not affect the remainder thereof; and to fix the time when this act shall become effective.

Also:

H. 161. To alter or re-arrange the boundary lines of the City of Lanett, Chambers County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Chambers County, Alabama:

Also:

H. 162. To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama.

Also:

H. 205. To amend Section 1 of Act 102, approved June 6, 1935, which relates to the method of selecting and the term of office of the Superintendent of Education for Macon County, by providing for his appointment by the Board of Education for Macon County.

Also:

H. 208. To provide for exemption of property from ad valorem taxation by the City of Huntsville until the fiscal year beginning October 1, 1947, in any area which may be added to the corporate limits of the City of Huntsville by any act of the Legislature of Alabama passed at any time during the session of such Legislature of Alabama beginning on the first Tuesday in May, 1947.

Also:

H. 228. To fix the salary of the Deputy Solicitor of Talladega County, Alabama.

Also:

H.J.R. 19. To express appreciation to the participants of the Southern Governors' Conference for their efforts to equalize nationally the freight rate structure of railroads, and to pledge the support of the Legislature of Alabama to further efforts in the struggle to equalize freight rates.

Also:

H.J.R. 22. Relating to House Bill 43 be known as the Coleman-Martin Bill.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Snodgrass:

H.J.R. 24. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 24, 1947, at 10 o'clock A.M.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 24 was adopted.

By Mr. Brassell:

H.J.R. 25. WHEREAS Honorable Roy E. Martin of MARTIN THEATRES and Manager of IDLE HOUR PARK, Phenix City, Alabama has invited the Alabama State Legislature, House and Senate employees, wives, sweethearts and families of Legislators to attend a free barbecue to be served at said park at one o'clock P.M. on July 4, 1947, and,

WHEREAS IDLE HOUR PARK, Phenix City, Alabama is the largest park in operation for the entire year in the Southeast.

NOW THEREFORE BE IT RESOLVED by the House, the Senate concurring that we do accept this invitation to visit Idle Hour Park, Phenix City, Alabama on July 4th and be the guest of said park for barbecue dinner and entertainment and that proper arrangements be made for the making of the trip and the ascertainment of the number of persons who will attend said occasion with the Legislature.

On motion of Mr. Brassell the rules were suspended and H.J.R. 25 was adopted.

THE STATE OF ALABAMA DEPARTMENT OF STATE

CERTIFICATE OF ELECTION

I, Sibyl Pool, Secretary of State, in accordance with the provisions of Section 205, Title 17 of the Code of Alabama of 1940, do hereby certify that as shown by the returns of Election on file in this office, W. E. Dyar was elected Member of House of Representatives from Marion County at the Special Election held in this State on Tuesday, the 17th day of June, 1947.

Witness my hand this 20th day of June, 1947.

(SEAL)

Sibyl Pool,
Secretary of State.

OATH OF OFFICE

The Oath of office prescribed by the Constitution and laws of the State of Alabama was then administered by Hon. W. M. Beck, Speaker of the House of Representatives, to Hon. W. E. Dyar, Member of the House of Representatives from Marion County.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 100. To amend Section 103 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 313, approved June 28, 1943.

Also:

S. 115. To amend Sections 18 and 25, Title 32, Code of Alabama of 1940, as amended.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. McDanal and Merrill:

H.R. 26. RESOLVED BY THE HOUSE OF REPRESENTATIVES that beginning next week the members of the House

transact their business without coats, due to the hot weather and cooperating with the "coats-off" campaign of the Junior Chamber of Commerce of Montgomery.

On motion of Mr. McDanal the rules were suspended and H.R. 26 was adopted.

BILLS ON SECOND READING

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Miller:

H. 338. To validate marriages of persons married subsequent to a divorce decree not prohibiting the person from remarrying even though the divorce decree did not specifically confer on the person the right to remarry.

By Messrs. Martin and Beck:

H. 339. To further protect and preserve our form of government, to declare certain acts relating to the overthrow or change of our form of government by force or by unlawful process to be unlawful, and to deny rights or privileges to certain organizations.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. Sullivan, Stone, and Johnston (with amendment):

H. 148. To amend Section 34 of Title 61 of the Code of Alabama of 1940, as amended by Act No. 196, General Acts of 1945, page 322, approved June 29, 1945, relative to the time limit for probate of wills.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

By Mr. Ingalls (with substitute):

H. 107. To amend Section 312 of Title 26 of the 1940 Code of Alabama as amended by Section 8 of Act No. 660 adopted by the Legislature of Alabama in Regular Session 1939.

By Messrs. Sullivan and Stone (with substitute):

H. 146. To amend Section 46, Title 61 of the Code of Alabama of 1940, as amended by Act No. 153, General Acts of 1945, page 193, approved June 23, 1945, to provide for the Probate and Record in Courts of the State of Alabama of wills previously admitted to probate and record or established in the Courts of other states, territories, districts and countries subject to the jurisdic-

tion of the United States of America, and of foreign countries not subject to the jurisdiction of the United States of America.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Mr. Coburn:

H. 153. To amend an Act "To amend Section 199 of Title 22 of the 1940 Code of Alabama relating to the care of patients with tuberculosis," approved July 8, 1943.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

By Mr. Haynes (Franklin) (with substitute):

H. 397. To Amend Section 756, Article 10, Chapter 20, Title 51, Code of Alabama 1940.

By Mr. Wallace (with substitute):

H. 2. To provide for the establishment, maintenance, and operation of regional trade schools.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Mr. Gillis (with amendment):

H. 246. To amend Sections 17 and 19, Title 32, Code of Alabama of 1940, as amended.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with minority report:

By Mr. Wallace (with minority report):

H. 1. To levy a tax of two per cent upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, providing for the manner of collection and the use of the proceeds thereof.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Ramey:

H. 44. To repeal Act 409, approved July 8, 1943, entitled, "An Act to provide additional compensation for election officials for attending schools of instruction regarding the use and operation of voting machines in all counties and municipalities or other political subdivisions of the State, in which elections are conducted

by voting machines; and to provide for the manner of paying said compensation."

By Mr. Callahan:

H. 297. To amend Section 394 of Title 17 of the 1940 Code, which relates to political party committees.

By Messrs. Dumas, Adams (Jefferson), Beatty, Gibson, Kaul, Meeks, and Sadler:

H. 413. To Amend Section 172, Title 17, of the Code of Alabama of 1940.

By Messrs. Dumas, Adams (Jefferson), Beatty, Gibson, Kaul, Meeks, and Sadler:

H. 414. To Amend Section 111, Title 17 of the Code of Alabama of 1940, as amended by an Act approved July 7, 1943, entitled "An Act to Amend Section 111, of Title 17, of the Code of Alabama of 1940", and by an Act approved July 7, 1945, entitled "An Act to Amend an Act Entitled 'An Act to Amend Section 111 of Title 17, of the Code of Alabama of 1940, approved July 7, 1943'."

By Messrs. Dumas, Adams (Jefferson), Beatty, Gibson, Kaul, Meeks, and Sadler:

H. 415. To Amend Section 105, Title 17, of the Code of Alabama of 1940.

By Messrs. Dumas, Adams (Jefferson), Beatty, Gibson, Kaul, Meeks, and Sadler:

H. 416. To Amend Section 84, Title 17, of the Code of Alabama of 1940.

By Messrs. Dumas, Adams (Jefferson), Beatty, Gibson, Kaul, Meeks, and Sadler:

H. 417. To Amend Section 81, Title 17, of the Code of Alabama of 1940.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bills and ordered same returned to the House without recommendation:

By Mr. Harris (without recommendation):

H. 257. Proposing an amendment of Section 150 of the Constitution of Alabama relating to judicial officers, and ordering an election thereon.

The above and foregoing bill, H. 257, proposing an amendment to the Constitution, was read a second time at length and placed on the calendar.

By Mr. Benford (without recommendation):

H. 272. To provide and submit to the qualified electors of the State of Alabama, at the next general election, an amendment to the Constitution, prescribing the number of Senators in the State

Senate, such amendment to be known as Article XXB of the Constitution of Alabama.

The above and foregoing bill, H. 272, proposing an amendment to the Constitution, was read a second time at length and placed on the calendar.

Mr. Pinkston, Chairman of the Standing Committee on Business and Labor, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Malone:

H. 343. To prohibit the issuance or distribution of any paper, instrument, or document which appears to be a check, draft, or bill of exchange, but which is in fact not a bona fide check, draft, or bill of exchange.

By Mr. Lovelace:

H. 30. To provide for the creation of liens on personal property and accounts receivable by agreement, to secure loans and advances and to provide for the recording of notice of such liens, their application, enforcement and discharge.

Mr. Pinkston, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Mr. Haynes (Franklin) (with amendment):

H. 42. To amend Sections 380, 381, 386, and 388 of Title 55 of the 1940 Code insofar as they relate to the deposit of securities with the State Treasurer by banks and trust companies qualifying as State depositories.

Mr. Thompson, Chairman of the Standing Committee on Public Welfare, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Mr. Meeks:

H. 296. To amend Sections 343, 344, 347, 348, 349, 354, 355, 356, 357, and 358 of Title 26 of the 1940 Code, which relate to child labor, prohibiting the employment of children under specified ages and conditions.

Mr. Shirley, vice-chairman of the Standing Committee on State Administration, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Johnston:

H. 356. To amend Section 25 of Title 26 of the Code of Alabama 1940, as amended by an Act of the 1945 Legislature entitled an Act "To amend Section 25, Title 26 of the Code of Alabama 1940," approved July 6, 1945.

By Mr. Johnston:

H. 357. To amend Section 2, Title 26 of the 1940 Code.

Mr. White (Covington), Chairman of the Standing Committee on Education, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Messrs. Meeks, Crocker, Miller, Shirley, and Thompson (Pike):

H. 373. To regulate the use of county-owned school buses.

Mr. White (Covington), Chairman of the Standing Committee on Education, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

By Messrs. White (Covington), Miller, and Bush (with amendment):

H. 318. To amend Section 298 of Title 52 of the 1940 Code, which relates to the minimum age at which children may enter public school.

By Mr. Benford (with amendment):

H. 364. To provide for the transportation in school busses of patrons of a school to and from school functions.

Mr. White (Covington), Chairman of the Standing Committee on Education, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

By Mr. Haynes (Franklin), (with substitute):

H. 37. To permit all school buildings and other properties used or held in trust by city boards of education for school purposes to be insured in the State Insurance Fund.

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report.

By Mr. White (Covington):

H. 387. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Lockhart, Covington County, Alabama.

By Mr. Coburn:

H. 388. To create the Municipal Utilities Board of Muscle Shoals; to provide for its membership; to appoint the members to compose the original Board; to provide the qualifications of members of the Board; to provide the oath of office of members of the Board; to provide the term of office and method of election of members of the Board; to provide the method of impeaching and removing from office members of the Board; to provide the method of filling vacancies in the Board; to provide the compensation for

the members of the Board; to provide for the organization of the Board; to provide for the meetings of the Board; to provide for copies of the records of the Board to be certified by the Secretary to be competent evidence in all courts; to provide the authority and duties of the said Board; to provide for the management and control of the Municipal Electric Distribution System of the Town of Muscle Shoals by said Board; to provide for the employment by the Board of managers, clerks, stenographers, attorneys, linemen, repairmen, and any other employees found necessary to be employed by said Board; to provide for official bonds of officers and employees of the Board handling money; to provide for the collection, deposit and distribution of funds received from the operation of said Electric Distribution System; to provide for bond of depository of funds of the Board; to provide method of withdrawal of funds of the Board and signing of warrants for the payment of claims; to provide that in any expenditure for any new construction, additions, or replacements to the electric plant, where the amount to be expended is more than \$1,500, the expenditure must be approved by the Board of Commissioners of the Town of Muscle Shoals; to provide for an annual audit and a semi-annual publication of the financial condition of the system; to provide that said Board shall have the control, management, and operation of any water, gas or other utilities if same should in the future be acquired by the Town of Muscle Shoals; to provide for the management and operation of such other utilities, and to provide for reports of the Board to the Board of Commissioners.

By Mr. Broadwater:

H. 395. To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis.

By Messrs. Davis and Vann:

H. 396. To provide an additional method by which the City of Huntsville may extend its corporate limits in addition to any other method now provided by law.

By Mr. Haynes (Franklin):

H. 399. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Russellville in Franklin County, Alabama.

By Messrs. Sullivan, Johnston, and Stone:

H. 400. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

By Messrs. Sullivan, Johnston, and Stone:

H. 401. To amend Section 2, as amended by a Local Act of the Legislature of Alabama, approved June 18, 1943, of a Local Act entitled "An act to fix and regulate the salary to be charged

or received by the tax collector of Mobile County; to provide for assistants to the said tax collector, and their compensation; to fix and regulate the method and basis of payment and collection of such salary of the tax collector and compensation for his assistants; to provide that such salary shall be in lieu of all other compensation, fees, commissions or emoluments; to declare the provisions of existing law, touching the commission of tax collectors for collecting general and special and school taxes, inapplicable to Mobile County; and to provide for the payment, into the County Treasury of Mobile County, of certain moneys, fees and penalties that were heretofore part of the compensation, emoluments and perquisites of the office of Tax Collector of Mobile County, Alabama," enacted by the Legislature of 1935 and approved August 15th, 1935, and set out in Local Acts of Alabama of 1935, page 139.

By Messrs. Sullivan, Johnston, and Stone:

H. 404. To provide for and fix the compensation and duties of the Chief Assistant in the Office of the Clerk of the Circuit Court of Mobile County, Alabama.

By Messrs. Johnston, Sullivan, and Stone:

H. 405. To amend Section 187 of Title 13, Code of Alabama of 1940 as said Section was last amended by the Act approved July 6, 1943, entitled "AN ACT To Amend Section 187 of Title 13, Code of Alabama of 1940."

By Messrs. Sightler, Busby, Pinkston, and Ingalls:

H. 406. To fix the compensation or salary to be paid the tax collector of Montgomery County, Alabama, and to regulate the payment of same, to provide for the selection of clerical help and other assistance to said officer and the manner of fixing his compensation and paying the same, and to provide rules and regulations for the payment and conduct of such officer; and to require such officer to pay into the county treasury of said county all costs, charges of courts, fees and commissions authorized by law to be collected by said officer as other monies belonging to said county are paid, except any salary, fees or commissions paid said officer for collecting taxes for any municipality.

By Messrs. Brassell and Cole:

H. 408. To validate certain expenditures ordered by the governing body of Russell County for the relief of (W. H. Simmons).

By Messrs. Callahan and Shelton:

H. 409. To fix the salaries of the Chief Clerk employed in the Office of the Probate Judge in all counties of the State of Alabama which now have, or which may hereafter have, a population of not less than 75,000 and not more than 113,000 according to the last Federal census or any such Federal census which may be hereafter taken.

By Mr. Gaither:

S. 83. To repeal an Act to provide for the establishment, discontinuance, construction, use, working, maintaining and location of the public roads and bridges in Cleburne County, Alabama: To provide for the appointment of a Road Supervisor in and for said County and to prescribe his qualifications, duties, and to fix his salary and provide for the method of his election or appointment, approved August 22, 1927.

By Mr. Boutwell:

S. 92. To repeal Act Number 167 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligation holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

By Mr. Boutwell:

S. 93. To repeal Act Number 166 General Laws of Alabama, approved June 21, 1945, entitled "An Act To declare the necessity of creating public bodies corporate and politic to be known as Redevelopment Agencies to have exclusive power to engage in slum clearance, redevelopment and housing projects in counties of this state having a population of more than three hundred thousand according to the next preceding Federal census; to provide for the creation of such Redevelopment Agencies; to define the powers and duties of such Redevelopment Agencies and to provide for the exercise of such powers, including the borrowing of money, the planning of slum clearance; the acquiring of property by eminent domain or otherwise, the issuance of bonds and other obligations, the giving of securities therefor to provide for the payment of such bonds and other obligations with the approval and consent of the State Department of Finance, to provide for the demands of bond and other obligations holders of such Redevelopment Agencies, to provide for the sale or lease of real estate acquired by such Redevelopment Agencies, to any person, firm or corporation; and to provide for the sale of slum areas."

By Mr. Cater:

S. 101. To designate fees, compensation of registrars in all counties having a population of not less than 100,000 nor more than 140,000 population according to the last or any succeeding Federal census.

By Mr. Fite:

S. 131. To amend Sections 1 and 3 of An Act entitled "An Act To abolish the office of Deputy Solicitor of Marion County, and to create in lieu thereof the office of County Solicitor of Marion County; to provide for said County Solicitor and for his election; and prescribe his term of office, powers, duties, jurisdiction and compensation", approved May 15, 1943.

By Mr. Fite:

S. 132. To amend Sections 2 and 8 of An Act entitled "An Act To further regulate the County Court of Marion County, Alabama; to define its jurisdiction and powers; to provide for a judge of said Court and for his election, and to prescribe his term of office, powers, jurisdiction, duties and compensation; to make said Court a court of record, and to provide that said court shall be open at all times for the trial of cases and the transaction of business; and to prescribe rules and procedure for said Court," approved May 15, 1943.

By Mr. Wright:

S. 150. To alter and re-arrange the boundary lines of the City of Talladega, Alabama and to prescribe the area included in such boundary lines and within the corporate limits of said City of Talladega, Alabama.

By Mr. Mize:

S. 158. To fix the term of office of the Tax Assessor of Tuscaloosa County, Alabama, and to provide for his election.

By Mr. Mize:

S. 159. To fix the term of office of the Tax Collector of Tuscaloosa County, Alabama, and to provide for his election.

By Mr. Mize:

S. 160. To amend Section 613, Title 62, Code of Alabama of 1940, which relates to the election, qualifications, and compensation of a recorder or municipal judge for the City of Tuscaloosa.

The above and foregoing bills were severally read a second time and placed on the calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wood (Bibb) (with notice and proof):

H. 418. To authorize the Court of County Commissioners of Bibb County to provide the Sheriff of Bibb County an automobile for his official use.

Local Legislation.

Notice and Proof H. 418:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Court of County Commissioners of Bibb County to provide the Sheriff of Bibb County an automobile for his official use.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1. The Court of County Commissioners of Bibb County is authorized to provide the Sheriff of Bibb County with one passenger automobile for use on official business. The automobile must be marked in such manner that it shall be known as the sheriff's official automobile, and it shall be used only for official business. The expenses of upkeep, repair, operation and servicing of the automobile shall be borne by the sheriff personally.

2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.
Press 4t—May 22.

PROOF OF PUBLICATION

STATE OF ALABAMA,
BIBB COUNTY.

Before me, Marvin Huett, a Notary Public, in and for said State and County aforesaid, personally appeared J. W. Oakley, Publisher of The Centreville Press, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in The Centreville Press for 4 consecutive weeks, as follows: May 22, 29, and June 5, 12, 1947.

That The Centreville Press is a weekly newspaper of general circulation in Bibb County, Alabama; That it is entered in the Postoffice at Centreville, Alabama, as second-class mailing matter; That it has been published for 52 consecutive weeks prior to the publication of this legal notice.

J. W. OAKLEY,
Publisher.

Sworn to and subscribed before me, this 12th day of June, 1947.

(SEAL)

MARVIN HUETT,
Notary Public.

My commission expires Dec. 12, 1949.

By Mr. Brannan:

H. 419. To appropriate the sum of Twenty-five Thousand and no/100 (\$25,000.00) Dollars for the construction of a canal from the Gulf of Mexico to Little Lagoon in Baldwin County, Alabama. To provide how this money shall be spent and who shall spend same. To describe the dimensions and purposes of such canal. To construct a jetty into the Gulf of Mexico for the protection of said canal, and for other purposes.

Ways and Means.

By Mr. Brannan:

H. 420. To amend Section 415 of Title 37 of the 1940 Code, which relates to official bonds of municipal officers or employees.

Local Government.

By Mr. Brannan:

H. 421. To amend Sections 68 of Title 18 of the 1940 Code, which relates to official bonds of officers or employees of municipal electric utility boards.

Local Government.

By Mr. Brannan:

H. 422. To amend Section 112 of Title 13 of the 1940 Code of Alabama, relating to the division of the State into Judicial Circuits.

Judiciary.

By Mr. McGowin:

H. 423. To amend Section 365 of Title 17 of the 1940 Code of Alabama, which relates to certificates of results of primary elections.

Constitution and Elections.

By Mr. McGowin:

H. 424. To amend Section 139 of Title 17 of the 1940 Code of Alabama, which relates to the conduct of general elections.

Constitution and Elections.

By Messrs. Thompson (Crenshaw), Miller:

H. 425. To levy a tax of ten per cent upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, providing for the manner of collection and the use of the proceeds thereof.

Ways and Means.

By Messrs. Givhan, Miller, Martin:

H. 426. To provide for an increase in the salaries of classroom teachers in the public school system of the State of Alabama, and to make an appropriation therefor.

Ways and Means.

By Messrs. O'Neal, Malone, Taylor (Hale):

H. 427. To prohibit the use of force, intimidation, violence, or threats thereof, to restrict or otherwise interfere with the right of any person to work or refrain from working, or to peaceably conduct his business, or to require the membership or non-membership of any person in a labor organization; to make unlawful certain acts of picketing, and certain assemblies in connection with labor disputes; to provide penalties for violations; to repeal all laws or parts of laws in conflict herewith; and for other purposes.

Business and Labor.

By Messrs. Ramey, Martin, Knight, O'Neal:

H. 428. To amend Section 18 of Act No. 329, approved July 1, 1943, which Act is known as the "Farm to Market Road Act of 1943".

Transportation.

By Messrs. O'Neal, Malone, Taylor (Hale):

H. 429. To prohibit any individual being required as a condition of employment, or of continuance of employment, to be or remain, or to refrain from being or remaining, a member or affiliate of a labor organization, or to pay fees, assessments, or other sums of money, to a labor organization; to prohibit contracts between employers and labor organizations which require as a condition of employment of any individual, or of continuance of such employment, that such individual be or remain a member of a labor organization, or that such individual pay any fee, assessment, or other sum of money, to a labor organization; to prohibit the involuntary deduction of fees, assessments, and other sums of money, from wages of employees; to prohibit contracts between employers and labor organizations requiring such involuntary deductions from wages of employees; to provide penalties for violations of this Act; to afford to individuals whose employment is affected by violations of this Act the remedy of injunction in certain cases, in addition to any other available remedy; to provide relief to individuals whose employment is affected by provisions contained in existing contracts between employers and labor organizations by declaring the public policy of this state with reference to such provisions, and by declaring such provisions to be void; to define certain terms; to repeal all laws and parts of laws in conflict herewith; and for other purposes.

Business and Labor.

By Mr. Malone:

H. 430. It shall be unlawful after the passage of this Act for any person receiving a salary or other regular compensation from the State, from any institution of the State, or from any public agency created by the State or receiving funds from the State, in whole or in part, to directly or indirectly engage in any political campaign or in any political activity, except to privately express a political choice or a political opinion and to freely cast his ballot; to fix the penalty for any violation of the Provisions of the Act; to make the provisions of this Act inapplicable to any candidate for or holder of any public office within the State or to present holders of any party office within the State; and to repeal all laws and parts of laws in conflict with the Provisions of the Act.

Constitution and Elections.

By Mr. Adams (Jefferson):

H. 431. To amend Section 22 of Title 34 of the 1940 Code, which relates to cruelty and nonsupport as grounds for divorce.

Judiciary.

By Messrs. Gibson, Adams (Jefferson), Dumas, Beatty, Meeks:
H. 432. To amend Title 13, Section 253, Code of Alabama 1940.

Local Legislation.

By Messrs. Gibson, Adams (Jefferson), Dumas, Meeks, Beatty:
H. 433. To amend Section 2 of Act No. 175 of the Acts of the Legislature of Alabama of 1943, entitled, "An Act to further define and extend the powers, authority and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act," approved June 17, 1943.

Local Legislation.

By Mr. Adams (Jefferson):
H. 434. To Amend Section 29 of Title 8 of the Code of Alabama of 1940.

Conservation.

By Messrs. Beatty, Barnett:
H. 435. To appropriate for the purposes of the Workmen's Compensation Unit of the Department of Industrial Relations the sums of \$25,000 in each of the fiscal years commencing October 1, 1947, and October 1, 1948, respectively.

Ways and Means.

By Messrs. Meeks, Gibson, Adams (Jefferson), Dumas, Beatty:
H. 436. To further define and extend the powers, authority and duties of circuit solicitors of the State of Alabama in judicial circuits having a population of four hundred thousand or more according to the last or any subsequent federal census; to impose extra, new, and additional duties upon such solicitors; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; to make provision for the payment of such additional compensation; to provide the effective date of this act; and to repeal all laws, general, local, and special in conflict with this act.

Local Legislation.

By Messrs. Adams (Jefferson), Dumas, Beatty, Gibson (with notice and proof):
H. 437. To establish an inferior court of record to be called the Bessemer Civil and Misdemeanor Court; to define the jurisdiction and powers of said Court and the officers thereof; to pro-

vide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenures of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same.

Local Legislation.

Notice and Proof H. 437:

LEGAL NOTICE

Notice is hereby given of the intention to introduce the following Bill and request its passage by the 1947 Legislature which meets in regular session on May 6, 1947 for the enactment of laws for the State of Alabama, the substance of which is stated in the caption hereunder set forth.

AN ACT

To establish an inferior court of record to be called the Bessemer Civil and Misdemeanor Court; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenures of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court, and provide compensation therefor, to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same.

F. R. MATTHEWS.

April 30, May 7, 14, 21, 1947.

AFFADAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Personally appeared before me, a notary public, in and for the said State and County, A. H. CATHER, who, after being duly cautioned and sworn, deposeth and says as follows: That he is the Editor and Manager of THE SOUTHERN LABOR REVIEW, a weekly newspaper, published in the State of Alabama, County of Jefferson, City of Birmingham, which said newspaper is one of general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for 52 consecutive weeks prior to the publication of the attached advertisement, and that a legal notice was published for four (4) consecutive weeks in the above named paper; and that the said legal notice

was published on the dates of April 30, May 7, May 14 and May 21, 1947 and an exact copy of said notice is hereto annexed.

Copy of which advertisement is hereto attached.

(Signed) A. H. OATS,
Editor and Manager.
MARY W. de GALLER,
Notary Public.

(SEAL)

This the 29 day of May, 1947.

By Messrs. Adams (Jefferson), Dumas, Beatty, Gibson, Meeks
(with notice and proof):

H. 438. To further amend sections 2 and 7 of the act establishing the Intermediate Civil Court of Birmingham, approved September 7, 1935 (Local Acts of Alabama, page 219), as amended by the act approved June 24, 1943 (Local Acts of Alabama, page 141).

Local Legislation.

Notice and Proof H. 438:

NOTICE

Notice is hereby given that a local act will be introduced in the next regular session of the Legislature of Alabama in substance to further amend sections 2 and 7 of the Act establishing the Intermediate Civil Court of Birmingham, approved September 7, 1935 (Local Acts of Alabama, page 219), as amended by the Act approved June 24, 1943 (Local Acts of Alabama, page 141), so as to change said sections in the following respects: Section 2 will be so amended as that said court shall have and exercise jurisdiction in all tort cases of which it now has jurisdiction provided the amount in controversy does not exceed Five Hundred Dollars (\$500), but otherwise leaving the jurisdiction as now provided; section 7 will be so amended as to increase and fix the salary of the judge of said court, and provide that he shall be eligible to serve without compensation as special judge of the Circuit Court or of any other inferior court when appointed thereto by proper authority, but otherwise leaving said section as it now is.

Shades Valley Sun, May 1, 8, 15 & 22, '47.

AFFADAVIT OF PUBLICATION THE SHADES VALLEY SUN

STATE OF ALABAMA
COUNTY OF JEFFERSON

ss:

On this 14th day of June A. D. one thousand nine hundred and forty-seven personally appeared before me, W. D. Smith, Jr., a Notary Public in and for the County and State aforesaid Ethel R. Kent who being duly sworn according to law, declares that she is bookkeeper of The Shades Valley Sun, newspaper published in the City of Homewood, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The Shades Valley Sun on the following dates: May 1, 1947, May 8, 1947, May 15, 1947 and May 22, 1947.

(Signed) ETHEL R. KENT.

Subscribed and sworn to before me this 14th day of June A.D. 1947.

W. D. SMITH,
Notary Public.

(SEAL)

By Messrs. Adams (Jefferson), Beatty, Gibson, Meeks:

H. 439. To require county and city license issuing officers to file monthly with the county tax assessor statements concerning licenses issued to engaged in businesses, occupations, or vocations; prescribing a penalty for delay in filing such statements.

Local Government.

By Messrs. Adams (Jefferson), Dumas, Meeks, Beatty, Gibson
(with notice and proof):

H. 440 To regulate the Municipal Court of Birmingham (Third Division); to alter the name of the said Court; to fix the return dates of executions issued therefrom; to provide for continuance of cases therein to allow time for answering by defendant as now or may be hereafter provided by law; to provide for appointment and compensation of temporary judges therefor; to provide for vacations for the regular judge of said Court; to fix the salary of the regular judge of said Court and regulate the payment thereof; and to prescribe the duties of the clerk of the said Court and of other officers with respect to the said Court.

Local Legislation.

Notice and Proof H. 440:

LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the 1947 regular session of the Legislature of Alabama, the substance of which is as follows:

To change the name of the Municipal Court of Birmingham (Third Division) by omitting the words "Third Division" therefrom; to extend the return dates of executions issued therefrom to sixty days; to allow continuances of causes so that defendants may have time to appear and plead as now or hereafter permitted by law; to provide for vacations for the regular Judge of the said court; to increase and fix the salary of the said Judge; to empower the Presiding Judge of the circuit court to make appointments of temporary Judges in the said Municipal Court during the absence or disability of the regular Judge of said court; to provide compensation of such temporary Judge; to allow temporary assignments of the Judge of said Municipal court by the said Presiding Judge of the circuit court to the trial of cases in the Intermediate Civil Court of Birmingham.

AFFADAVIT OF PUBLICATION THE SHADES VALLEY SUN

STATE OF ALABAMA
County of Jefferson,

ss:

On this 14th day of June A. D. one thousand nine-hundred and forty-seven personally appeared before me, W. D. Smith, Jr., a Notary Public in and for the County and State aforesaid Ethel R. Kent who being duly sworn according to law declares that she is bookkeeper of the Shades Valley Sun, newspaper published in the City of Homewood, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is here-with attached, appeared in The Shades Valley Sun on the following dates:

April 24, 1947, May 1, 1947, May 8, 1947, May 15, 1947.

(Signed) ETHEL R. KENT.

Subscribed and sworn to before me this 14th day of June A. D. 1947.

W. D. SMITH, JR.,

(SEAL)

Notary Public.

By Mr. Davis (by request):

H. 441. To amend Section 70, Title 30, Code of Alabama, 1940, relating to waiver of special venire in capital cases.

Judiciary.

By Mr. Benford (with notice and proof):

H. 442. Fixing the Compensation or Salary of the Members of the Court of County Commissioners of Marshall County, Alabama, and requiring that they devote their full time to the duties of their office and to provide for the manner and method of such payment and to provide pickup truck for their use, and to provide when this act shall go into effect.

Local Legislation.

Notice and Proof H. 442:

NOTICE

Notice is hereby given that application will be made to the Session of the Legislature meeting on May 6th, 1947, for enactment into law the following proposed bill, to-wit:

"A BILL TO BE ENTITLED

Fixing the Compensation or Salary of the Members of the Court of County Commissioners of Marshall County, Alabama, and requiring that they devote their full time to the duties of their office and to provide for the manner and method of such payment and to provide pickup truck for their use, and to provide when this act shall go into effect.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That on and after the passage and approval of this act each of the members of the Court of County Commissioners of Marshall County, Alabama, as constituted by law, except the Probate Judge of said county, acting as Chairman of said court of said County, shall devote their entire time to the duties of their office, provided however, each member of the Court of County Commissioners shall be furnished, at the expense of the county, a pickup truck to be used by them in carrying out the duties of their said offices.

Section 2. That on and after the passage and approval of this Act the salary or compensation of each of the members of the Court of County Commissioners of Marshall County, Alabama, be and is hereby fixed in the sum of \$150.00 per month, payable monthly out of the General Fund of said county or out of any monies belonging to the Road and Bridge Fund of said County or of the gasoline or motor fuels tax appropriated to said county, which shall be in full of all compensation to be paid to each of said members of said Court of County Commissioners and that the salary or compensation of the Probate Judge of said county acting as Chairman of said Court of County Commissioners of said county shall be \$5.00 per day for each day said Court is in session, payable on the adjournment of each session of the Court, and out of the same funds as is paid the compensation or salary of the members of the Court of County Commissioners as hereinabove provided.

Section 3. This act shall take effect upon its passage and approval.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
MARSHALL COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. J. Benford, who, being by me first duly sworn, deposes and says that he is publisher of The Albertville Herald, which is and has been during the times herein mentioned, a newspaper of general circulation published in Alebrtville, Marshall County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 9th day of May, 1947, 16th day of May, 1947, 23rd day of May, 1947, 30th day of May, 1947 and that said publication was made without cost to the State of Alabama.

J. J. BENFORD.

Sworn to and subscribed before me this 16th day of June, 1947.

A. B. HOOPER, JR.,

(SEAL)

Notary Public.

By Mr. Sullivan:

H. 443. To amend Section 388 of Title 51 of the 1940 Code of Alabama, as amended by Act No. 39, General Acts of 1945, page 45, approved May 28, 1945.

Ways and Means.

By Messrs. Sullivan, Johnston and Stone:

H. 444. To authorize the Department of State Docks and Terminals of Alabama, with the approval of the Governor, to expand the port facilities of the State of Alabama to meet the present and prospective needs of trade and commerce; to acquire and operate additional properties and facilities; to borrow money and to issue and sell bonds, notes or certificates referred to herein as revenue securities; to provide the purposes for which such money may be borrowed; to provide for the form, tenor, effect, interest rates and maturities and payment of such revenue securities; to provide that such revenue securities shall not constitute indebtedness of the State of Alabama, and shall not pledge the faith or credit of the State of Alabama; to provide that such Revenue Securities may be payable from the gross revenues of the units or facility or facilities in whole or in part acquired with the proceeds of such Revenue Securities and out of the gross revenues of said Department, subject to sinking fund requirement, certain operating expenses and other valid commitments; to provide for and authorize the pledge of such revenues to such revenue securities and to provide for the order of payment and priorities of payment of such revenue securities out of such revenue; to authorize the publication of notice concerning the issuance of such revenue securities and limiting the time within which any action may be brought to set aside or contest the validity of any such revenue securities or any proceeding authorizing same or any contractual obligations incurred in connection therewith; to provide for the acceptance of grants and to contract with reference to such grants; to provide

for the funding or refunding of obligations of said department by the issuance of such revenue securities and to provide the effective date of this Act and repeal all laws and parts of laws in conflict with the Act.

Transportation.

By Mr. George (with notice and proof) :

H. 445. To provide for the payment of a mileage allowance to the Chief Deputy Sheriff of Randolph County in addition to a salary.

Local Legislation.

Notice and Proof H. 445:

A BILL
TO BE ENTITLED
AN ACT

To provide for the payment of a mileage allowance to the Chief Deputy Sheriff of Randolph County in addition to a salary.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In the event the Chief Deputy Sheriff of Randolph County furnishes his own automobile for traveling in the performance of his official duties, he shall receive from the County mileage at the rate of five cents for each mile traveled; but mileage shall not be allowed in excess of seventy-five dollars for any month. The mileage allowance shall be in addition to the annual salary of the Chief Deputy Sheriff, which shall be fixed by the governing body of the county at not less than one thousand eight hundred dollars nor more than two thousand four hundred dollars, payable in equal monthly installments by the County.

(Apr 4-8t

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
RANDOLPH COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. J. H. Kerr, who, being by me first duly sworn, deposes and says that he is a publisher of The Randolph Press, which is and has been during the times herein mentioned, a newspaper of general circulation published in Wedowee, Randolph County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 4 day of April, 1947, the 11 day of April, 1947, the 18 day of April, 1947, and the 25 day of April, 1947, and that said publication was made without cost to the State of Alabama.

MRS. J. H. KERR.

Sworn to and subscribed before me this 19 day of June, 1947.

J. B. TRAYLOR,

(SEAL)

Register.

By Mr. White (Perry):

H. 446. To amend Section 7 of Title 60 of the 1940 Code, which relates to widows who are entitled to pensions.

Ways and Means.

By Mr. George (with notice and proof):

H. 447. To amend Section 1 of an Act approved July 10, 1940, entitled, "An Act To allow the Sheriff of Randolph County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Randolph County, Alabama, in monthly installments, and to require said deputy to give bond in the sum of two thousand dollars payable to the Sheriff, with conditions as required by Section 2595 of the Code of Alabama, 1923".

Local Legislation.

Notice and Proof H. 447:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of an Act approved July 10, 1940, entitled, "An Act To Allow the Sheriff of Randolph County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Randolph County, Alabama, in monthly installments, and to require said deputy to give bond in the sum of two thousand dollars payable to the Sheriff, with conditions as required by Section 2595 of the Code of Alabama, 1923."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1 of an act approved July 10, 1940, entitled, "An Act To allow the Sheriff of Randolph County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Randolph County, Alabama, in monthly installments, and to require said deputy to give bond in the sum of two thousand dollars payable to the Sheriff, with conditions as required by Section 2595 of the Code of Alabama, 1923," is amended to read as follows:

"The Sheriff of Randolph County is authorized to appoint a deputy sheriff, in addition to the chief deputy sheriff now provided for by law, whose annual salary shall be fixed by the governing body of the County at not less than one thousand eight hundred dollars nor more than two thousand four hundred dollars, payable in equal monthly installments by the county. The appointee shall hold office at the pleasure of the sheriff."
(Apr 4-8t

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
RANDOLPH COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. J. H. Kerr, who, being by me

first duly sworn, deposes and says that he is publisher of The Randolph Press, which is and has been during the times herein mentioned, a newspaper of general circulation published in Wedowee, Randolph County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 4 day of April, 1947, the 11 day day of April, 1947, the 18 day of April, 1947, and the 25 day of April, 1947, and that said publication was made without cost to the State of Alabama.

MRS. J. H. KERR.

Sworn to and subscribed before me this 19 day of June, 1947.

J. B. TRAYLOR,
Register.

(SEAL)

By Mr. Dougherty:

H. 448. To provide for and create the Alabama State Racing Commission for the regulation, licensing, and supervision of horse racing and wagering thereon; to prescribe its composition, appointment, powers and duties; to provide for the regulation and licensing of horse racing, horse race meetings and the wagering on the results thereof; to provide for and regulate the pari-mutuel or certificate method of wagering bookmaking wagering within the enclosure of the licensed race tracks; and to provide certain penalties for the violation of this Act and for other purposes relative thereto.

Judiciary.

By Messrs. Ganey, Leonard:

H. 449. To change the title of the Superintendent of Alabama Institute for Deaf and Blind from "Superintendent" of Alabama Institute for Deaf and Blind to "President" of Alabama Institute for Deaf and Blind; and to provide that such change in title shall not affect the authority, duties, compensation or term of office of such official.

Education.

By Mr. McDanal:

H. 450. To Amend Section 13 of Title 8 of the Code of Alabama of 1940.

Conservation.

By Mr. McDanal

H. 451. To Amend Section 87 of Title 8 of the Code of Alabama of 1940.

Conservation.

By Mr. McDanal:

H. 452. To provide for the training of bird dogs by licensed dog trainers or any licensed hunter who desires to train his own dog during the closed hunting season. To specify the dates during which such training may be permitted. To specify the methods by which bird dogs may be trained during said season. To provide for the holding of field trials during the closed hunting season. To pro-

vide the methods by which such field trials may be held. To provide for penalty for the violation of this Act. To repeal all laws or parts of laws in conflict herewith and to provide for the time which this Act shall become effective and for other purposes.

Conservation.

By Mr. McDanal:

H. 453. To regulate the buying, selling, handling or shipping of fresh water non-game fish. To provide that person, firms, or corporations engaged in the business of buying, selling, handling, or shipping fresh water non-game fish shall be considered wholesale dealers and to require wholesale dealers to pay a license for engaging in such business. To provide for the issuance of such licenses. To define who is a retail dealer in fresh water non-game fish and to provide a license for dealing in such fish at retail. To provide for the issuance of such licenses. To provide for the disposition of the revenue to be derived from such licenses. To provide for apenalty for the violation of any of the provisions of this Act. To repeal all laws in conflict herewith. To provide when this Act shall become effective, and other purposes.

Conservation.

By Mr. McDanal:

H. 454. To amend Section 86 of Title 8 of the Code of Alabama of 1940.

Conservation.

By Mr. Wood (Washington):

H. 455. To amend Sections 787, 788, 790, 792, 805, 806, 807, and 810 of Title 51 of the 1940 Code, which relate to the use tax.

Ways and Means.

By Mr. Harris:

H. 456. To authorize any incorporated city or town in Alabama to acquire, improve and develop waterfront lands; to construct and operate landings, terminals, warehouses, and sites for commercial or industrial development thereon; to promote or provide rail connections for water-borne commerce and supply facilities for boats, barges, and their crews; to promote the water-borne commerce of the city or town; to finance such programs by various methods; to zone property within one-fourth miles of a water-course and within five miles of the corporate limits.

Local Government.

By Mr. Harris:

H. 457. To amend Section 276 of Title 37 of the Code of Alabama, 1940, to permit the issuance of public improvement bonds

for waterfront developments within or without the corporate limits.

Local Government.

By Mr. Roberts (by request):

H. 458. To amend Section 178 of Title 13 of the 1940 Code of Alabama, which relates to expenses of circuit judges in judicial circuits of more than one county.

Judiciary.

BILLS ON THIRD READING

H. 330. To authorize the county governing body of any county having a population of not less than 32,000 and not more than 42,000 inhabitants and two courthouses to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

| | | | |
|--------------|------------------|----------|-------------------|
| Mr. Speaker | Frasier | McDonald | Robinson |
| Adams (Dale) | Garrett | McGowin | Shelton |
| Beatty | George | Malone | Sightler |
| Black | Gillis | Martin | Snodgrass |
| Brannan | Givhan | Mathison | Still |
| Brown | Hankins | Meeks | Taylor (Hale) |
| Buckner | Harrison | Merrill | Thagard |
| Busby | Haynes (Lowndes) | Mitchell | Thomp- |
| Callahan | Head | Molette | son (Crenshaw) |
| Cobb | Howell | Nelson | Thompson (Pike) |
| Coburn | Ingalls | Norman | Wallace |
| Cox | Knight | O'Neal | Ward |
| Denton | Leonard | Pinkston | Weaver |
| Duffee | McClendon | Ramey | White (Covington) |
| Dumas | McDanal | Roberts | White (Perry) |
| Evans | | | |

60

And the bill:

H. 331. To amend Sections 1 and 4 of Act 250, House Bill 295, which became law on August 30, 1939, under Section 125 of the Constitution and which relate to the creation of a Board of Revenue in and for Cherokee County, Alabama: providing for the nomination and election of members of the Board of Revenue by districts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

| | | | |
|--------------|---------|---------|---------|
| Mr. Speaker | Barnett | Black | Brown |
| Adams (Dale) | Beatty | Brannan | Buckner |

| | | | |
|----------|------------------|----------|---------------------|
| Busby | Hankins | McIlwain | Shirley |
| Callahan | Harrison | Malone | Sightler |
| Cobb | Haynes (Lowndes) | Martin | Still |
| Coburn | Head | Mathison | Taylor (Hale) |
| Cox | Howell | Meeks | Thompson (Crenshaw) |
| Denton | Ingalls | Merrill | Thompson (Pike) |
| Dumas | Johnston | Mitchell | Wallace |
| Evans | Kaul | Norman | Ward |
| Garrett | Knight | O'Neal | Weaver |
| George | Leonard | Pinkston | White (Covington) |
| Gibson | McClendon | Robinson | Wood (Bibb) |
| Gillis | McDanal | Shelton | |
| Givhan | McDonald | | |

57

And the bill:

H. 332. To abolish the Law and Equity Court of Cherokee County, Alabama, making provision for the transfer of pending cases and causes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|--------------|------------------|----------|---------------------|
| Mr. Speaker | George | McDonald | Shelton |
| Adams (Dale) | Gibson | McIlwain | Shirley |
| Barnett | Gillis | Malone | Sightler |
| Black | Givhan | Martin | Snodgrass |
| Brannan | Hankins | Mathison | Still |
| Brown | Harrison | Meeks | Taylor (Hale) |
| Buckner | Haynes (Lowndes) | Merrill | Thompson (Crenshaw) |
| Busby | Head | Mitchell | Thompson (Pike) |
| Callahan | Howell | Nelson | Wallace |
| Cobb | Ingalls | O'Neal | Ward |
| Cox | Johnston | Pinkston | Weaver |
| Denton | Knight | Ramey | White (Covington) |
| Duffee | Larkins | Roberts | White (Perry) |
| Dumas | Leonard | Robinson | Wood (Bibb) |
| Ganey | McClendon | Rogers | |
| Garrett | McDanal | Sellers | |

62

And the bill:

H. 333. To increase the salary of the Judge of Probate of Cherokee County, Alabama, because of extra duties imposed upon him by abolishment of the Law and Equity Court of Cherokee County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

| | | | |
|--------------|------------|----------|---------|
| Mr. Speaker | Brannan | Callahan | Evans |
| Adams (Dale) | Broadwater | Cobb | Ganey |
| Benford | Brown | Cox | Garrett |
| Bennett | Buckner | Denton | George |
| Black | Busby | Dumas | Gillis |

| | | | |
|-----------|----------|-----------|-------------------|
| Givhan | McDanal | O'Neal | Taylor (Hale) |
| Hankins | McDonald | Pinkston | Thomp- |
| Harrison | McIlwain | Ramey | son (Crenshaw) |
| Head | Malone | Robinson | Thompson (Pike) |
| Howell | Martin | Rogers | Wallace |
| Ingalls | Mathison | Sellers | Ward |
| Johnston | Meeks | Shelton | Weaver |
| Knight | Merrill | Shirley | White (Covington) |
| Larkins | Mitchell | Snodgrass | White (Perry) |
| Leonard | Nelson | Still | Wood (Bibb) |
| McClendon | | | |

60

And the bill:

H. 334. To amend Section 2 of Act 162, approved June 17, 1943, which relates to salaries and allowances for certain officials and employees of Cherokee County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

| | | | |
|--------------|------------------|-----------|-------------------|
| Mr. Speaker | Denton | Johnston | Ramey |
| Adams (Dale) | Duffee | Knight | Roberts |
| Benford | Dumas | Larkins | Robinson |
| Bennett | Evans | Leonard | Rogers |
| Black | Faulk | McClendon | Shelton |
| Brannan | Ganey | McDanal | Sightler |
| Brassell | Garrett | McDonald | Snodgrass |
| Broadwater | George | Martin | Still |
| Brown | Gibson | Mathison | Taylor (Hale) |
| Buckner | Gillis | Meeks | Thompson (Pike) |
| Busby | Givhan | Merrill | Tucker |
| Callahan | Harrison | Miller | Vann |
| Cobb | Haynes (Lowndes) | Mitchell | Wallace |
| Coburn | Head | Nelson | Ward |
| Cox | Howell | O'Neal | Weaver |
| Davis | Ingalls | Pinkston | White (Covington) |

64

And the bill:

H. 384. To amend Sections 1 and 2 of an Act, entitled an Act "To provide and require the Sheriff of Tallapoosa County, Alabama, to appoint and maintain a regular Deputy Sheriff at each of the following places in said County, to-wit: Alexander City, Dadeville, Daviston, and East Tallassee; to prescribe the duties of such Deputies, to fix their terms of office, to provide for their compensation and the payment thereof by said County, and to fix the amount of such compensation, approved July 17, 1931" as amended by an Act of the Legislature, approved September 9, 1935, and as further amended by an Act of the Legislature, May 20th, 1943.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

| | | | |
|-------------------|----------|-----------|-------------------|
| Mr. Speaker | Davis | Knight | Sellers |
| Adams (Dale) | Denton | Larkins | Shelton |
| Adams (Jefferson) | Duffee | Leonard | Sightler |
| Barnett | Dumas | McClendon | Snodgrass |
| Beatty | Ganey | McDanal | Still |
| Benford | George | McDonald | Taylor (Hale) |
| Black | Gibson | Martin | Thomp- |
| Brannan | Gillis | Mathison | son (Crenshaw) |
| Brassell | Givhan | Meeks | Thompson (Pike) |
| Broadwater | Hankins | Merrill | Vann |
| Brown | Harrison | Miller | Wallace |
| Buckner | Head | Mitchell | Ward |
| Callahan | Howell | Neison | Weaver |
| Cobb | Johnston | Ramey | White (Covington) |
| Coburn | | | |

56

And the bill:

H. 340. To re-enact Act 123, approved June 12, 1935, entitled, "An Act To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines thereof; by showing the beats composing such Commissioners Districts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors; to require said Commissioners to give bond and to further regulate and prescribe the powers, authority and duties of said Commissioners Court and to fix penalties for the violation of this Act."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Duffee | Knight | Ramey |
| Adams (Dale) | Dumas | Larkins | Roberts |
| Adams (Jefferson) | Evans | Leonard | Robinson |
| Beatty | Ganey | McClendon | Sellers |
| Benford | Garrett | McDanal | Shelton |
| Black | George | McDonald | Snodgrass |
| Brassell | Gibson | Malone | Still |
| Broadwater | Gillis | Martin | Taylor (Hale) |
| Buckner | Givhan | Meeks | Thomp- |
| Busby | Hankins | Merrill | son (Crenshaw) |
| Callahan | Harrison | Miller | Thompson (Pike) |
| Cobb | Haynes (Lowndes) | Mitchell | Vann |
| Coburn | Head | Nelson | Ward |
| Cox | Howell | O'Neal | Weaver |
| Davis | Ingalls | Pinkston | White (Covington) |
| Denton | Johnston | | |

61

And the bill:

H. 341. To abolish the office of County Road Supervisor for Henry County, Alabama, as created by Act No. 205, approved November 4, 1932, and to provide that the functions and duties of such officer shall be performed by the county engineer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Denton | Johnston | Pinkston |
| Adams (Dale) | Duffee | Knight | Ramey |
| Adams (Jefferson) | Dumas | Larkins | Roberts |
| Barnett | Evans | Leonard | Robinson |
| Benford | Faulk | McClendon | Sellers |
| Black | Ganey | McDanal | Shelton |
| Brannan | Garrett | McDonald | Shirley |
| Brassell | George | Malone | Still |
| Broadwater | Gillis | Martin | Taylor (Hale) |
| Buckner | Givhan | Mathison | Thomp- |
| Busby | Hankins | Meeks | son (Crenshaw) |
| Callahan | Harrison | Merrill | Thompson (Pike) |
| Cobb | Haynes (Lowndes) | Miller | Vann |
| Coburn | Head | Mitchell | Ward |
| Cox | Howell | Nelson | Weaver |
| Davis | Ingalls | O'Neal | White (Covington) |

63

And the bill:

H. 352. To Amend Title 62, Section 618, of the Code of Alabama, 1940.

Was taken up.

Mr. Dumas offered the following amendment to the bill, H. 352:

House Bill No. 352 is hereby amended as follows:

Insert and add after the words: "and the governing body of the city shall have authority by resolution to so authorize and approve a monetary allowance", the following words: "not to exceed 5 cents per mile for each mile of travel."

And the amendment was adopted.

Yeas 64; Nays 0.

Yeas:

| | | | |
|-------------------|----------|------------------|-----------|
| Mr. Speaker | Busby | George | Kaul |
| Adams (Dale) | Callahan | Gibson | Knight |
| Adams (Jefferson) | Cobb | Gillis | Larkins |
| Barnett | Coburn | Givhan | McClendon |
| Beatty | Cox | Hankins | McDanal |
| Benford | Davis | Harrison | McDonald |
| Black | Denton | Haynes (Lowndes) | Malone |
| Brannan | Duffee | Head | Martin |
| Brassell | Dumas | Howell | Mathison |
| Broadwater | Faulk | Ingalls | Meeks |
| Buckner | Ganey | Johnston | Merrill |

| | | | |
|----------|----------|----------------|-------------------|
| Miller | Robinson | Snodgrass | Thompson (Pike) |
| Mitchell | Sellers | Still | Vann |
| Nelson | Shelton | Taylor (Hale) | Weaver |
| Pinkston | Shirley | Thomp- | White (Covington) |
| Ramey | Sightler | son (Crenshaw) | White (Perry) |
| Roberts | | | |

64

And the bill, H. 352, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Denton | Johnston | Ramey |
| Adams (Dale) | Dobbs (Elmore) | Kaul | Roberts |
| Adams (Jefferson) | Duffee | Knight | Robinson |
| Beatty | Dumas | Larkins | Sadler |
| Benford | Ganey | McClendon | Sellers |
| Brassell | George | McDonald | Shirley |
| Broadwater | Gibson | Malone | Sightler |
| Brown | Gillis | Martin | Snodgrass |
| Buckner | Hankins | Mathison | Still |
| Busby | Harrison | Meeks | Taylor (Hale) |
| Bush | Haynes (Lowndes) | Merrill | Thompson (Pike) |
| Callahan | Head | Miller | Vann |
| Cobb | Hornsby | Mitchell | Weaver |
| Coburn | Howell | Nelson | White (Covington) |
| Cox | Ingalls | Pinkston | White (Perry) |
| Davis | | | |

61

And the bill:

H. 353. To repeal Section 597, Title 62, Code of Alabama 1940, relating to the semi-annual publication of lists of persons drawing compensation from certain cities and towns.

Was taken up.

Mr. Dumas offered the following substitute for the bill, H. 353:

SUBSTITUTE FOR HOUSE BILL NO. 353

A BILL TO BE ENTITLED AN ACT

TO amend Section 597, Title 62, Code of Alabama of 1940, relating to the publication of lists of persons drawing compensation from certain cities and towns.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 597, Title 62, Alabama Code of 1940, be and the same is hereby amended to read as follows:

"Section 597. Publication of lists of persons drawing salaries.—All such cities and towns shall on the 1st day of April of each year cause to be published in a daily newspaper, published in Jef-

ferson County, a list of all persons whose compensation or any part thereof, is paid out of the treasury of such city or town, together with the amount thereof, and that the expense of said publication shall be paid by such city or town. Violation of the terms of this section shall subject the city or town official or officials guilty of failing to so publish statement herein required to impeachment."

Section 2. That this Act shall become effective upon its approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 61; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Davis | Howell | Pinkston |
| Adams (Dale) | Denton | Ingalls | Ramey |
| Adams (Jefferson) | Dobbs (Elmore) | Knight | Roberts |
| Beatty | Dumas | Larkins | Robinson |
| Benford | Faulk | McClendon | Sadler |
| Black | Ganey | McDanal | Shelton |
| Brannan | George | McDonald | Sightler |
| Brassell | Gibson | Malone | Still |
| Broadwater | Gillis | Mathison | Taylor (Hale) |
| Buckner | Givhan | Meeks | Thagard |
| Busby | Hankins | Merrill | Thompson (Pike) |
| Bush | Harrison | Miller | Vann |
| Callahan | Haynes (Lowndes) | Mitchell | Wallace |
| Cobb | Head | Nelson | Weaver |
| Coburn | Hornsby | O'Neal | White (Covington) |
| Cox | | | |

61

And said bill, H. 353, as amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Denton | Knight | Roberts |
| Adams (Dale) | Dumas | Larkins | Robinson |
| Adams (Jefferson) | Faulk | McClendon | Sadler |
| Beatty | Ganey | McDonald | Shelton |
| Benford | Gibson | Malone | Sightler |
| Brassell | Gillis | Martin | Still |
| Broadwater | Givhan | Mathison | Taylor (Hale) |
| Buckner | Hankins | Meeks | Thagard |
| Busby | Harrison | Merrill | Thompson (Pike) |
| Bush | Haynes (Franklin) | Miller | Vann |
| Callahan | Haynes (Lowndes) | Mitchell | Wallace |
| Cobb | Head | Nelson | Weaver |
| Coburn | Howell | O'Neal | White (Covington) |
| Cox | Ingalls | Pinkston | White (Perry) |
| Davis | Kaul | Ramey | |

59

And the bill:

H. 360. To provide for the appointment of a deputy register of the Circuit Court of Montgomery County, and to prescribe the

duties and fix the compensation and salary of such deputy register.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Cox | Lovelace | Robinson |
| Adams (Dale) | Davis | McClendon | Shelton |
| Adams (Jefferson) | Denton | McDanal | Sightler |
| Benford | Faulk | Malone | Still |
| Black | Ganey | Martin | Taylor (Hale) |
| Brassell | George | Mathison | Thagard |
| Broadwater | Gillis | Merrill | Thomp- |
| Brown | Givhan | Miller | son (Crenshaw) |
| Buckner | Hankins | Mitchell | Thompson (Pike) |
| Busby | Harrison | Nelson | Vann |
| Bush | Haynes (Lowndes) | O'Neal | Wallace |
| Callahan | Howell | Pinkston | Weaver |
| Cobb | Ingalls | Ramey | White (Covington) |
| Coburn | Larkins | Roberts | White (Perry) |

55

And the bill:

H. 361. To amend Section 1 of Act 177, approved June 17, 1943, which fixes the compensation of the sheriff of Montgomery County and provides for help and assistants and other expense in the office of the sheriff, by increasing the allowance for help and assistants, and increasing the compensation for the sheriff.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Cox | Larkins | Roberts |
| Adams (Dale) | Davis | Leonard | Robinson |
| Adams (Jefferson) | Denton | Lovelace | Shelton |
| Barnett | Dobbs (Elmore) | McClendon | Sightler |
| Beatty | Dumas | McDanal | Still |
| Benford | Faulk | McDonald | Taylor (Hale) |
| Black | Ganey | Martin | Thagard |
| Brannan | George | Mathison | Thomp- |
| Brassell | Gillis | Meeks | son (Crenshaw) |
| Broadwater | Givhan | Merrill | Thompson (Pike) |
| Brown | Hankins | Miller | Vann |
| Buckner | Harrison | Mitchell | Wallace |
| Busby | Haynes (Lowndes) | Nelson | Weaver |
| Callahan | Hornsby | O'Neal | White (Covington) |
| Cobb | Howell | Pinkston | White (Perry) |
| Coburn | Ingalls | Ramey | |

62

And the bill:

H. 362. To provide for the appointment of a deputy clerk of the Circuit Court of Montgomery County, and to prescribe the duties and fix the compensation and salary of such deputy clerk.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|---------------------|
| Mr. Speaker | Davis | Larkins | Roberts |
| Adams (Dale) | Denton | Leonard | Robinson |
| Adams (Jefferson) | Dumas | McClendon | Rogers |
| Barnett | Evans | McDanal | Shelton |
| Beatty | Faulk | McDonald | Shirley |
| Benford | Ganey | Malone | Sightler |
| Black | Garrett | Martin | Snodgrass |
| Brannan | George | Mathison | Still |
| Brassell | Gillis | Merrill | Taylor (Hale) |
| Broadwater | Givhan | Miller | Thompson (Crenshaw) |
| Brown | Hankins | Mitchell | Thompson (Pike) |
| Busby | Harrison | Nelson | Vann |
| Bush | Haynes (Lowndes) | Nettles | Wallace |
| Callahan | Head | O'Neal | Weaver |
| Cobb | Howell | Pinkston | White (Covington) |
| Coburn | Ingalls | Ramey | |
| Cole | | | |

64

And the bill:

H. 367. To fix the compensation of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide for clerical help and other assistance to said Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for other contingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require said Judge of Probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by law to be collected by said Judge of Probate as other moneys belonging to said county are paid.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|---------------------|
| Mr. Speaker | Cole | Lovelace | Robinson |
| Adams (Dale) | Davis | McClendon | Shelton |
| Adams (Jefferson) | Denton | McDonald | Shirley |
| Beatty | Faulk | Malone | Sightler |
| Benford | Ganey | Martin | Snodgrass |
| Brannan | George | Mathison | Still |
| Brassell | Gillis | Meeks | Taylor (Hale) |
| Broadwater | Givhan | Merrill | Thagard |
| Brown | Hankins | Miller | Thompson (Crenshaw) |
| Buckner | Harrison | Mitchell | Thompson (Pike) |
| Busby | Haynes (Lowndes) | Nelson | Vann |
| Bush | Howell | Nettles | Wallace |
| Callahan | Ingalls | O'Neal | Weaver |
| Cobb | Larkins | Ramey | White (Covington) |
| Coburn | Leonard | Roberts | |

59

And the bill:

H. 368. To fix the Salary of the Deputy Clerk of the Court of Common Pleas of Montgomery.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Cole | Lovelace | Rogers |
| Adams (Dale) | Davis | McClendon | Shelton |
| Adams (Jefferson) | Denton | McDanal | Shirley |
| Barnett | Faulk | McDonald | Sightler |
| Beatty | Ganey | Mathison | Still |
| Benford | George | Meeks | Taylor (Hale) |
| Black | Gillis | Merrill | Thagard |
| Brannan | Givhan | Miller | Thomp- |
| Brassell | Hankins | Mitchell | son (Crenshaw) |
| Broadwater | Harrison | Nelson | Thompson (Pike) |
| Brown | Haynes (Lowndes) | Nettles | Vann |
| Busby | Howell | Pinkston | Wallace |
| Callahan | Ingalls | Ramey | Weaver |
| Cobb | Larkins | Roberts | White (Covington) |
| Coburn | Leonard | Robinson | White (Perry) |

59

And the bill:

H. 369. To amend section 187 of Title 13, Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Cox | Lovelace | Robinson |
| Adams (Dale) | Davis | McClendon | Rogers |
| Adams (Jefferson) | Denton | McDanal | Shelton |
| Barnett | Duffee | McDonald | Shirley |
| Beatty | Faulk | Martin | Sightier |
| Benford | Ganey | Mathison | Snodgrass |
| Black | Gillis | Meeks | Still |
| Brassell | Givhan | Merrill | Taylor (Hale) |
| Broadwater | Hankins | Miller | Thagard |
| Brown | Harrison | Mitchell | Thomp- |
| Busby | Haynes (Lowndes) | Nelson | son (Crenshaw) |
| Bush | Howell | Nettles | Thompson (Pike) |
| Callahan | Ingalls | O'Neal | Vann |
| Cobb | Johnston | Pinkston | Weaver |
| Coburn | Larkins | Ramey | White (Covington) |
| Coie | Leonard | Roberts | White (Perry) |

63

And the bill:

H. 363. To amend Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on June 28, 1940, entitled an Act: "To authorize and empower the

Board of Revenue of Montgomery County, Alabama, in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$600.00 per annum to the support of the Montgomery Museum of Fine Arts. Said sum to be paid in equal monthly installments."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

| | | | |
|--------------|------------------|-----------|---------------------|
| Mr. Speaker | Denton | McClendon | Robinson |
| Adams (Dale) | Duffee | McDanal | Shelton |
| Beatty | Faulk | McDonald | Shirley |
| Benford | Ganey | Martin | Sightler |
| Black | George | Mathison | Snodgrass |
| Brannan | Gillis | Meeks | Still |
| Brassell | Givhan | Merrill | Taylor (Hale) |
| Broadwater | Hankins | Miller | Thagard |
| Buckner | Harrison | Mitchell | Thompson (Crenshaw) |
| Busby | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Bush | Howell | Nettles | Vann |
| Callahan | Ingalls | O'Neal | Weaver |
| Cobb | Johnston | Pinkston | White (Covington) |
| Cole | Larkins | Ramey | White (Perry) |
| Cox | Leonard | Roberts | |
| Davis | Lovelace | | |

61

And the bill:

H. 349. To amend section 84, Title 51, Code of Alabama 1940; to provide for the claiming of homestead exemptions upon forms required by the tax assessor; to make it the duty of the tax assessor to prepare and have furnished such forms; to prove that a person who has once made claim of such exemption shall not be required thereafter to repeat such claim so long as the property remains exempt; to require the heir, grantee, assignee, or successor of a person who previously made a claim of such exemption, to make a claim of exemption in the name of such heir, grantee, assignee, or successor in order to effectuate an exemption thereof; to require the taxpayer to notify the tax assessor when property which has previously been claimed and allowed as exempt is no longer exempt, and to require the tax assessor thereupon to list such property for taxation; and to authorize the assessment for state purposes with penalty as an escape for a period not exceeding five years of any property upon which the ad valorem tax for state purposes has not been paid; to provide for the severability of the provisions of this act in the event that any provision is held unconstitutional or invalid; and to provide for the effective date of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Davis | Lovelace | Robinson |
| Adams (Dale) | Denton | McClendon | Shelton |
| Adams (Jefferson) | Duffee | McDanal | Sightler |
| Barnett | Faulk | McDonald | Snodgrass |
| Beatty | Ganey | Martin | Still |
| Benford | Gibson | Mathison | Taylor (Hale) |
| Black | Gillis | Meeks | Thagard |
| Brannan | Givhan | Merrill | Thomp- |
| Brassell | Hankins | Miller | son (Crenshaw) |
| Broadwater | Harrison | Mitchell | Thompson (Pike) |
| Busby | Haynes (Lowndes) | Nelson | Vann |
| Bush | Howell | Nettles | Wallace |
| Callahan | Ingalls | O'Neal | Weaver |
| Cobb | Johnston | Pinkston | White (Covington) |
| Coburn | Larkins | Ramey | White (Perry) |
| Cole | Leonard | Roberts | Wood (Bibb) |
| Cox | | | |

64

And the bill:

H. 344. To allow the Sheriff of Lawrence County, Alabama an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Cox | Lovelace | Shelton |
| Adams (Dale) | Davis | McClendon | Shirley |
| Adams (Jefferson) | Denton | McDonald | Sightler |
| Barnett | Duffee | Martin | Snodgrass |
| Beatty | Faulk | Mathison | Still |
| Benford | Ganey | Meeks | Taylor (Hale) |
| Brassell | Gibson | Merrill | Thomp- |
| Broadwater | Gillis | Miller | son (Crenshaw) |
| Brown | Givhan | Mitchell | Thompson (Pike) |
| Buckner | Hankins | Nelson | Vann |
| Busby | Harrison | O'Neal | Wallace |
| Bush | Haynes (Lowndes) | Pinkston | Weaver |
| Callahan | Howell | Ramey | White (Covington) |
| Cobb | Ingalls | Roberts | White (Perry) |
| Coburn | Johnston | Robinson | Wood (Washington) |
| Cole | Larkins | | |

61

And the bill:

H. 345. To allow the Members of the Board of Education of Lawrence County, Alabama, pay for not more than sixteen days in any one year, and to fix their salary and expenses, payable from the General School Funds of Lawrence County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Duffee | Lovelace | Shelton |
| Adams (Dale) | Faulk | McClendon | Shirley |
| Adams (Jefferson) | Ganey | McDonald | Sightler |
| Beatty | Gibson | Martin | Snodgrass |
| Benford | Gillis | Mathison | Still |
| Brassell | Givhan | Meeks | Taylor (Hale) |
| Buckner | Hankins | Merrill | Thagard |
| Busby | Harrison | Miller | Thomp- |
| Bush | Haynes (Lowndes) | Mitchell | son (Crenshaw) |
| Callahan | Head | Nelson | Thompson (Pike) |
| Cobb | Howell | O'Neal | Vann |
| Coburn | Ingalls | Pinkston | Wallace |
| Cole | Johnston | Ramey | Weaver |
| Cox | Larkins | Roberts | White (Covington) |
| Denton | Leonard | Robinson | White (Perry) |

59

And the bill:

H. 346. To allow the Sheriff of Lawrence County, Alabama, the sum of \$50.00 per month for the maintenance, upkeep, operation and repair of an automobile to be used in the performance of his official duties and to make the same payable out of the General Funds of Lawrence County in equal monthly installments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Denton | McClendon | Shelton |
| Adams (Dale) | Duffee | McDonald | Shirley |
| Adams (Jefferson) | Faulk | Martin | Sightler |
| Barnett | Ganey | Mathison | Snodgrass |
| Beatty | Gibson | Merrill | Still |
| Brassell | Gillis | Miller | Thomp- |
| Buckner | Givhan | Mitchell | son (Crenshaw) |
| Busby | Harrison | Nelson | Thompson (Pike) |
| Bush | Haynes (Lowndes) | Norman | Vann |
| Callahan | Howell | O'Neal | Wallace |
| Cobb | Ingalls | Pinkston | Weaver |
| Coburn | Johnston | Ramey | White (Covington) |
| Cole | Larkins | Roberts | White (Perry) |
| Cox | Lovelace | Robinson | Wood (Washington) |

55

And the bill:

H. 381. To amend Act No. 593, Senate Bill 329, approved July 9, 1943, entitled, "An Act To create in all cities in the State of Alabama which have a population exceeding twenty-six thousand and not exceeding thirty-six thousand inhabitants according to the latest federal decennial census, or which shall have such population according to any such census that may be taken hereafter, a fund to be known as Firemen's and Policemen's Pension and Relief

Fund for the benefit and relief of disabled sick, retired and other members of such fire and police departments and the widows, certain of the minor children and dependent widowed mothers of certain deceased members of the fire and police departments of such cities, and to provide for the use, management, control, and administration of such funds; to provide for the raising of such funds and the sources thereof; to provide for the payment into such funds of a proportion of the monthly salary of such members of the fire departments and police departments of such cities as are eligible to participate in the benefits of such funds; to provide for the payment into such funds of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies, including mutual and industrial and industrial fire insurance companies, doing business within such cities, and for making a sworn report by such fire insurance companies of such premiums to the Board of Trustees of such funds, and to prescribe the penalty for failure to make such payments and report, and for enforcing such penalty; to provide for sworn statements to be made to the city clerks of such cities by all persons, firms, or corporations which conduct a fire insurance agency or brokerage business within such cities, and to prescribe the penalty for failure to make and file such statements and for enforcing such penalty; to provide for the payment into such funds certain witness fees and certain rewards and gratuities received by firemen and policemen; to provide for the payment into such funds of all liquor seizure fees and all amounts received by the City from the Alcohol Beverage Control Board for confiscated liquors; to authorize the Board of Trustees to accept money and property for said funds; to authorize the governing bodies of such cities to make appropriations to such fund out of the city treasury; to create in such cities a Board of Trustees of such Firemen's and Policemen's Pension and Relief Fund; to provide for the organization of such Board of Trustees and to designate certain members of said Board and provide the time and method of electing the remaining members thereof and their term of office; to designate and provide for the selection of officers and agents of said Board; to declare the said Board of Trustees the trustees of such funds; to prescribe the powers, authority and duties of such Board of Trustees, its officers and agents; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire departments and police departments and the widows, certain minor children, and dependent widowed mothers of certain deceased members thereof; to provide for the retirement and reinstatement of members of such fire and police departments; to prescribe the duties of the city attorney and city physician in connection with said Board of Trustees and said funds; to provide for medical examination and diagnosis of the physical and mental condition of such members of fire and police departments; to provide that no person shall have any vested or contractual rights in said fund,

but that such fund shall be held subject to the power of the Legislature; to designate the treasurer of such fund and his duties; to provide that said fund and all benefits received therefrom shall be exempt from levy, execution, garnishment, attachment or seizure of any kind; to provide the time of taking effect of this Act."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Cox | Lovelace | Shelton |
| Adams (Dale) | Denton | McClendon | Shirley |
| Adams (Jefferson) | Duffee | McDanal | Sightler |
| Beatty | Faulk | McDonald | Snodgrass |
| Benford | Ganey | Martin | Still |
| Black | George | Mathison | Taylor (Hale) |
| Brassell | Gillis | Meeks | Thomp- |
| Broadwater | Givhan | Merrill | son (Crenshaw) |
| Brown | Hankins | Miller | Thompson (Pike) |
| Buckner | Harrison | Mitchell | Vann |
| Busby | Haynes (Lowndes) | Nelson | Wallace |
| Bush | Head | Norman | Ward |
| Callahan | Howell | O'Neal | Weaver |
| Cobb | Ingalls | Pinkston | White (Covington) |
| Coburn | Johnston | Roberts | White (Perry) |
| Cole | Larkins | Robinson | Wood (Washington) |

63

And the bill:

H. 380. To provide for clerical assistance and office equipment and supplies for the office of the Judge of Probate in all counties in this State having a population of not less than 63,500 and not more than 66,000 according to the last or any subsequent Federal census; and to provide for payment for such clerical assistance and office equipment and supplies out of the general fund of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

| | | | |
|--------------|------------------|-----------|-----------------|
| Mr. Speaker | Denton | Lovelace | Ramey |
| Adams (Dale) | Duffee | McClendon | Roberts |
| Benford | Faulk | McDanal | Robinson |
| Black | Ganey | McDonald | Shelton |
| Brassell | George | McIlwain | Shirley |
| Buckner | Gillis | Martin | Sightler |
| Busby | Hankins | Mathison | Snodgrass |
| Bush | Harrison | Meeks | Still |
| Callahan | Haynes (Lowndes) | Merrill | Taylor (Hale) |
| Cobb | Head | Miller | Thagard |
| Coburn | Johnston | Mitchell | Thomp- |
| Cole | Larkins | Nelson | son (Crenshaw) |
| Cox | Leonard | O'Neal | Thompson (Pike) |

Vann
Wallace

Ward
Weaver

White (Covington)
White (Perry)

Wood (Washington)
58

ADJOURNMENT

On motion of Mr. Miller, the House, in accordance with H.J.R. 24 heretofore adopted, adjourned until Tuesday, June 24, 1947, at 10 o'clock A.M.

NINTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 24, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend D. E. Richardson, pastor of Chisholm Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dumas | McClendon | Sellers |
| Adams (Dale) | Dyar | McDanal | Shelton |
| Adams (Jefferson) | Evans | McDonald | Shirley |
| Barnett | Faulk | McGowin | Sightler |
| Beatty | Ganey | McIlwain | Snodgrass |
| Benford | Garrett | Malone | Stewart |
| Bennett | George | Martin | Still |
| Black | Gibson | Mason | Stone |
| Brannan | Gillis | Mathison | Sullivan |
| Brassell | Givhan | Meeks | Taylor (Autauga) |
| Broadwater | Hankins | Merrill | Taylor (Hale) |
| Brown | Harris | Miller | Thagard |
| Buckner | Harrison | Mitchell | Thomas |
| Busby | Haynes (Franklin) | Molette | Thompson (Crenshaw) |
| Bush | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Callahan | Head | Norman | Tucker |
| Coburn | Hornsby | O'Neal | Vann |
| Cole | Howell | Pinkston | Wallace |
| Cox | Ingalls | Pinson | Ward |
| Crocker | Inzer | Pruitt | Weaver |
| Davis | Johnston | Ramey | Whitcomb |
| Denton | Kaul | Richardson | White (Covington) |
| Dobbs (Elmore) | Knight | Roberts | White (Perry) |
| Dobbs (Fayette) | Larkins | Robinson | Wood (Bibb) |
| Doughty | Leonard | Rogers | Wood (Washington) |
| Duffee | Lovelace | Sadler | |

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Eighth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the eighth legislative day was approved.

BILLS ON SECOND READING

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Adams (Jefferson), Dumas, Meeks, Beatty, and Gibson:

H. 440. To regulate the Municipal Court of Birmingham (Third Division); to alter the name of the said Court; to fix the return dates of executions issued therefrom; to provide for continuance of cases therein to allow time for answering by defendant as now or may be hereafter provided by law; to provide for appointment and compensation of temporary judges therefor; to provide for vacations for the regular judge of said Court; to fix the salary of the regular judge of said Court and regulate the payment thereof; and to prescribe the duties of the clerk of the said Court and of other officers with respect to the said Court.

By Messrs. Adams (Jefferson), Dumas, Beatty, Gibson, and Meeks:

H. 438. To further amend sections 2 and 7 of the act establishing the Intermediate Civil Court of Birmingham, approved September 7, 1935 (Local Acts of Alabama, page 219), as amended by the act approved June 24, 1943 (Local Acts of Alabama, page 141).

By Messrs. Adams (Jefferson), Dumas, Beatty, and Gibson:

H. 437. To establish an inferior court of record to be called the Bessemer Civil and Misdemeanor Court; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenures of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes there-

from; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same.

By Messrs. Meeks, Gibson, Adams (Jefferson), Dumas, and Beatty:

H. 436. To further define and extend the powers, authority and duties of circuit solicitors of the State of Alabama in judicial circuits having a population of four hundred thousand or more according to the last or any subsequent federal census; to impose extra, new, and additional duties upon such solicitors; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; to make provision for the payment of such additional compensation; to provide the effective date of this act; and to repeal all laws, general, local, and special in conflict with this act.

By Messrs. Gibson, Adams (Jefferson), Dumas, Meeks, and Beatty:

H. 433. To amend Section 2 of Act No. 175 of the Acts of the Legislature of Alabama of 1943, entitled, "An Act to further define and extend the powers, authority and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act," approved June 17, 1943.

By Messrs. Gibson, Adams (Jefferson), Dumas, Beatty, and Meeks:

H. 432. To amend Title 13, Section 253, Code of Alabama 1940.

By Mr. Russell:

S. 174. To authorize and empower the Board of Revenue and Control of Morgan County, Alabama, or other like governing body of said county, to pay from the general fund of said county, the premium on the bond of the Chief Clerk of the Probate Court when the same is made by a Surety Company, and to provide for the repeal of all laws in conflict with this Act and the effective date of this Act.

By Mr. Wood (Bibb):

H. 418. To authorize the Court of County Commissioners of Bibb County to provide the Sheriff of Bibb County an automobile for his official use.

By Mr. Benford:

H. 442. Fixing the Compensation or Salary of the Members of the Court of County Commissioners of Marshall County, Alabama, and requiring that they devote their full time to the duties of their office and to provide for the manner and method of such payment and to provide pickup truck for their use, and to provide when this act shall go into effect.

By Mr. George:

H. 447. To amend Section 1 of an Act approved July 10, 1940, entitled, "An Act To allow the Sheriff of Randolph County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Randolph County, Alabama, in monthly installments, and to require said deputy to give bond in the sum of two thousand dollars payable to the Sheriff, with conditions as required by Section 2595 of the Code of Alabama, 1923".

By Mr. George:

H. 445. To provide for the payment of a mileage allowance to the Chief Deputy Sheriff of Randolph County in addition to a salary.

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wallace:

H. 459. To create the office of State Freight Rate Counsel, providing for his appointment, defining his powers and duties, and appropriating for the purpose of the Act.

Ways and Means.

By Messrs. Adams (Dale), Malone, Mitchell, McIlwain, Thompson (Crenshaw):

H. 460. To provide a license for fishing with hook and line, trotline, snagline, or setline. To provide for the issuance of said licenses and to whom issued. To define a resident and a non-resident of the State of Alabama. To provide for the disposition of the revenue to be derived from the sale of said licenses. To provide for penalties for violation of the provisions of this Act and for other purposes. To repeal all laws in conflict herewith and to provide when this Act shall become effective.

Conservation.

By Mr. McGowin:

H. 461. To amend Sections 620, 621, 622, 623, 624, 625, 626, 627, 628, and 629 of Title 51 of the 1940 Code, which relate to the State privilege license for operating, maintaining, opening, or establishing a store.

Ways and Means.

By Mr. Bennett:

H. 462. To amend Section 606 of Title 2 of the Code of Alabama of 1940.

Agriculture.

By Mr. Gillis:

H. 463. To amend Section 18 of Title 32 of the Code of Alabama of 1940, as amended.

Rules.

By Mr. Lovelace (with notice and proof):

H. 464. To authorize and empower the Clerk of the Circuit Court of Escambia County, Alabama, to act as magistrate in taking affidavits for warrants for the arrest of persons charged with crimes in that county and to issue warrants of arrest based thereon, such warrants of arrest to be returnable to the Courts in said County having jurisdiction of the offense; to fix the fees for taking such affidavits, issuing such warrants and acting as such magistrate, and to provide that the same shall be taxed and collected as part of the costs in the case.

Local Legislation.

Notice and Proof H. 464:

PUBLIC NOTICE

State of Alabama, Escambia County, City of Brewton, March 10, 1947.

Public notice is hereby given as required by law and Section 106 of the constitution, that the undersigned Rco Kirkland, Circuit Clerk of Escambia County, Alabama does intend to apply to the May 1947 Session of The Legislature of Alabama to have Enacted into a law a Local Bill. That this notice is published at least once a week for (4) four consecutive weeks prior to the introduction of said Bill in the Legislature. That this notice is published in said county and published in a newspaper published in said county being "The Brewton Standard." That this notice is published without cost to the State. That said Local Bill and its substance is as follows:

A BILL TO BE ENTITLED AN ACT

To authorize and empower the Clerk of the Circuit Court of Escambia County, Alabama to act as magistrate in taking affidavits for warrants for the arrest of persons charged with crimes in that county and to issue warrants of arrest based thereon, such warrants of arrest to be returnable to the Courts in said County having jurisdiction of the offense; to fix the fees for

taking such affidavits, issuing such warrants and acting as such magistrate, and to provide that the same shall be taxed and collected as part of the costs in the case.

Be it enacted by the Legislature of Alabama:

Section 1. That the Clerk of the Circuit Court of Escambia County, Alabama is hereby authorized and empowered to act as magistrate in taking affidavits for warrants for the arrest of persons charged with the commission of crimes in said County, either misdemeanors or felonies, and to issue warrants of arrest based thereon, such warrants of arrest in cases of misdemeanors to be returnable to the County Court of said County, or to a Court of like jurisdiction therein, and in cases of felonies the same to be returnable to the Circuit Court of said County or before a grand jury organized by said Circuit Court

Section 2. That, as compensation for his services in taking affidavits for warrants and issuing warrants of arrest based thereon, and acting as committing magistrate, the Clerk of the Circuit Court of Escambia County shall be entitled to the same fees and costs as now provided for Justices of the Peace in criminal cases, such fees to be taxed and collected as part of the costs in the case.

Section 3. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

Section 4. This Act is hereby declared to be severable and if any section, paragraph, subdivision, sentence or clause shall be determined by any court of competent jurisdiction to be invalid, for any reason, such determination of invalidity shall not in any manner affect any other portion or part of this Act.

Section 5. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

State of Alabama, Escambia County:

I, W. E. Brooks, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for 4 consecutive weeks, namely in the issues of May 8, 1947, May 15, 1947, May 22, 1947, May 29, 1947.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

W. E. BROOKS,

Subscribed and sworn to before me this 12 day of June, 1947.

PEARL KEEBLE,

(SEAL)

Notary Public, Escambia County, Ala.

By Mr. Roberts:

H. 465. To make it a felony for a father to fail or refuse willfully to comply with, or to leave the State with the intention of evading the terms of, a court order requiring him to support his child or children.

Judiciary.

By Mr. Haynes (Franklin):

H. 466. To Amend Section 790, Article 11, Chapter 20, Title 51, Code of Alabama 1940, as Amended by Act No. 428, Approved

July 9, 1945, General Acts, Regular Session 1945, Page 671, and To Amend Section 792, Article 11, Chapter 20, Title 51, Code of Alabama 1940, as Amended by Act No. 428, Approved July 9, 1945, General Acts, Regular Session 1945, Page 671.

Ways and Means.

By Mr. Haynes (Franklin):

H. 467. To require the county board of education to establish routes for school busses; to require the driver of a school bus to follow the established route; to prohibit school bus drivers from departing from the established route without written authorization of all members of the county board of education; to require school bus drivers to discharge elementary school pupils at the elementary school nearest the point at which said pupils board the school bus; to make any violation of this act, on the part of persons driving school busses, a misdemeanor; to provide for the effective date hereof.

Education.

By Messrs. Snodgrass and O'Neal (with notice and proof):

H. 468. To create a Purchasing Agency for Jackson County, Alabama, to be composed of the Chairman of the Board of Revenue of said County, whose duties shall be to purchase for the county offices and every department of the county all personal property including books, stationery, blanks, office equipment and office supplies, printing and printed matter, forms, machinery of all and every kind, including tractors and trucks, all tools and material, gas, oil, tires, lubricants and fuel, and all other material and supplies for the construction and maintenance of the roads, bridges and ferries, and all material and supplies for the Court House, jails and other county buildings of said county; to define the powers and duties, term of office and compensation of said Purchasing Agency; to provide for the employment of clerical assistance necessary to keep records of said Purchasing Agency and Board of Revenue; to provide for the performance of said duties in the event of a vacancy; to provide that if any paragraph, clause or part be held invalid, it shall not affect the validity of any other part of said Act and to repeal all laws in conflict with the provisions of said Act.

Local Legislation.

Notice and Proof H. 468:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the Regular Session of the 1947 Legislature of Alabama, to be re-convened on June 3rd., 1947, the following Bill will be introduced and passage thereof requested:

A BILL
TO BE ENTITLED
AN ACT

To create a Purchasing Agency for Jackson County, Alabama, to be composed of the Chairman of the Board of Revenue of said County, whose duties shall be to purchase for the county offices and every department of the county all personal property including books, stationery, blanks, office equipment and office supplies, printing and printed matter, forms, machinery of all and every kind, including tractors and trucks, all tools and material, gas, oil, tires, lubricants and fuel, and all other material and supplies for the construction and maintenance of the roads, bridges and ferries, and all material and supplies for the Court House, jails and other county buildings of said county; to define the powers and duties, term of office and compensation of said Purchasing Agency; to provide for the employment of clerical assistance necessary to keep records of said Purchasing Agency and Board of Revenue; to provide for the performance of said duties in the event of a vacancy; to provide that if any paragraph, clause or part be held invalid, it shall not affect the validity of any other part of said Act and to repeal all laws in conflict with the provisions of said Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That there is hereby created a Purchasing Agency for Jackson County, Alabama, composed of the Chairman of the Board of Revenue for said County.

SECTION 2. That the duties of said Purchasing Agency shall be to purchase for the county offices and every department of the county all personal property including books, stationery, blanks, office equipment and office supplies, printing and printed matter, forms, machinery of all and every kind, including tractors and trucks, all tools and material, gas, oil, tires, lubricants and fuel, and all other material and supplies for the construction and maintenance of the roads, bridges and ferries, and all material and supplies for the Court House, jails and other county buildings of said county, and it shall be the duty of said Purchasing Agency to purchase the same at the best prices obtainable.

SECTION 3. That personal property including books, stationery, blanks, office equipment and office supplies, printing and printed matter, forms, machinery of all and every kind, including tractors and trucks, all tools and material, gas, oil, tires, lubricants and fuel, and all other material and supplies for the construction and maintenance of the roads, bridges and ferries, and all material and supplies for the Court House, jails and other county buildings of said county shall be furnished only upon written requisition sworn to and stating by items the articles desired and needed, showing out of what fund they are to be paid, that the articles are necessary, that the amount of the requisition is not excessive, and that no part of the same will be used except in conducting the public business, and signed by the officer, or other person specifically designated by law, for whose office or department said articles are requested, and thereupon said Purchasing Agency shall make inquiry and ascertain whether the articles are necessary before purchasing the same, and all invoices of such purchases, with said requisition attached, shall be kept on file in the office of the Chairman of the Board of Revenue of said County, in alphabetical order, as a permanent record, subject to inspection by the public at all reasonable times.

SECTION 4. All purchases of, contracts for or leases of personal property by or on behalf of the Board of Revenue of Jackson County shall be made through the Division of Purchases and Stores of the Department of Finance of the State of Alabama, except as such purchases, contracts or

leases may be made at not greater cost through other means. However, in the event of an emergency making it necessary that personal property be purchased, leased or contracted for without delay, which would occur because of purchase, lease or contract through the Division of Purchases and Stores, such purchase, lease or contract may be made through other means. All purchases, leases and contracts not made through the Division of Purchases and Stores, before payment of them can be made, shall be certified by the Division of Purchases and Stores: (1) Either to have been made at cost not greater than that available by purchase, lease or contract through the Division of Purchases and Stores; (2) Or to have been made at reasonable cost in an emergency making it necessary to avoid delay detrimental to the people of Jackson County which would have been occasioned by purchase, lease or contract through the Division of Purchases and Stores.

SECTION 5. That in case of emergency the Chairman of the Board of Revenue may make purchases of materials, equipment and supplies in amounts not in excess of one hundred dollars by receiving competitive bids therefor; but in order for such purchase to be a valid and binding obligation upon Jackson County there shall be not less than two competitive bids received by said Chairman, in writing, which said competitive bids shall be filed in the office of the Chairman of said Board as a part of the records of said purchase.

SECTION 6. The Chairman or any other members of the Board of Revenue or any employee of Jackson County shall not be directly or indirectly interested in any purchase of, contract for, or lease of personal property by or on behalf of Jackson County.

SECTION 7. That it shall not be necessary for the Purchasing Agency to obtain competitive bids for the purchase of postage stamps or other articles having a general, fixed and definite price.

SECTION 8. That any purchase of personal property including machinery, materials, equipment or supplies made under the authority herein for emergency purchase by the Purchasing Agency if or when broken up into lots, shipments, purchases, bills or amounts of less than one hundred dollars so as to be made under the authority given herein to make emergency purchases, shall not be a legal and binding purchase nor a legal and binding obligation upon Jackson County, Alabama. It being the intent of this Act to require all purchases of quantities or amounts of machinery and supplies of value in excess of one hundred dollars to be made through the Division of Purchases and Stores of the Department of Finance of the State of Alabama, except as hereinabove otherwise provided.

SECTION 9. That the term of office of the Chairman of the Board of Revenue, as said Purchasing Agency, shall be the same as his term of office as the Chairman of the Board of Revenue of said County, but he shall receive no additional compensation for his services as said Purchasing Agency other than his salary or compensation as Chairman of the Board of Revenue.

SECTION 10. That the Chairman of the Board of Revenue is authorized, directed and empowered to employ such clerical help and assistance as may be deemed necessary to the proper, efficient and economical operation of the office of Chairman of the Board of Revenue and Purchasing Agency, the same to be approved by the Board of Revenue, or like governing body of said County.

SECTION 11. The Board of Revenue of said County shall require the officers of the various departments of said County so obtaining such articles to be responsible for the same and to deliver the unused portion thereof to their successors in office.

SECTION 12. In the event for any reason there shall be a vacancy in the office of Chairman of the Board of Revenue of said County, then and in that event, the duties hereinabove imposed upon the Purchasing Agency, as herein provided, shall be discharged or performed by the Judge of Probate of

Jackson County, Alabama, during the period of said vacancy and without compensation.

SECTION. 13 That all laws or parts of laws in conflict with the provisions of this Act insofar as they relate to Jackson County, Alabama, be and the same are hereby expressly repealed.

SECTION 14. That if any paragraph, clause or part of this Act shall be declared to be unconstitutional it shall not affect any other part or parts hereof.

SECTION 15. This Act shall take effect and be in force upon its passage and approval by the Governor or its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA JACKSON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says that he is publisher of The Progressive Age, which is and has been during the times herein mentioned, a newspaper of general circulation published in Scottsboro, Jackson County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 29th day of May, 1947, the 5th day of June, 1947, the 12th day of June, 1947, and the 19th day of June, 1947, and that said publication was made without cost to the State of Alabama.

P. W. CAMPBELL.

Sworn to and subscribed before me this 23rd day of June 1947.

LOIS STEWART,
Notary Public.

(SEAL)

By Messrs. Snodgrass and O'Neal (with notice and proof):

H. 469. To create and establish and to define the duties and powers of a Board of Revenue for Jackson County, Alabama; to abolish the Court of County Commissioners of said County; to repeal an Act approved the 6th day of July, 1945, entitled "An Act to create and establish and to define the duties and powers of a Board of Revenue in and for Jackson County"; to designate the members of said Board to serve until the first Monday after the second Tuesday of January, 1949, and to fix their compensation; for the purpose of future elections to divide said County into four districts; to provide for the nomination and election of members of said Board to serve after the first Monday after the second Tuesday in January, 1949; to provide for the place of residence of the members of said Board; to provide for the filling of vacancies and to provide compensation of the Chairman and members to be elected in 1948; to provide for the oath of office and execution of bond and for the time and place of meeting of said Board; to define a quorum of said Board; to further designate the duties of the Chairman; to provide for the employment of a Clerk, fix his compensation and duties; to repeal all laws in conflict with this Act; to provide that if any part of said Act be unconstitutional it shall not

affect any other part; and to provide for the effective date of said Act.

Local Legislation.

Notice and Proof H. 469:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that during the Regular Session of the 1947 Legislature of Alabama, to be re-convened on June 3, 1947, the following Bill will be introduced and passage thereof requested:

A BILL TO BE ENTITLED AN ACT

To create and establish and to define the duties and powers of a Board of Revenue for Jackson County, Alabama; to abolish the Court of County Commissioners of said County; to repeal an Act approved the 6th day of July, 1945, entitled "An Act to create and establish and to define the duties and powers of a Board of Revenue in and for Jackson County"; to designate the members of said Board to serve until the first Monday after the second Tuesday of January, 1949, and to fix their compensation; for the purpose of future elections to divide said County into four districts; to provide for the nomination and election of members of said Board to serve after the first Monday after the second Tuesday in January, 1949; to provide for the place of residence of the members of said Board; to provide for the filling of vacancies and to provide compensation of the Chairman and members to be elected in 1948; to provide for the oath of office and execution of bond and **for the time and place of meeting of said Board; to define a quorum of said Board;** to further designate the duties of the Chairman; to provide for the employment of a Clerk, fix his compensation and duties; to repeal all laws in conflict with this Act; to provide that if any part of said Act be unconstitutional it shall not affect any other part; and to provide for the effective date of said Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created a Board of Revenue for Jackson County, Alabama, as a governing body of said County. The Court of County Commissioners of said County is hereby abolished. The Act approved the 6th day of July, 1945, entitled "An Act to create and establish and to define the duties and powers of a Board of Revenue in and for Jackson County" is hereby repealed.

Section 2. The Board of Revenue hereby created shall have and exercise all the powers, duties, limitations and responsibilities and its members subject to all penal provisions of the General Laws of Alabama, now or hereafter enacted, governing Courts of County Commissioners and the members thereof, but only in so far as they are consistent with the provisions of **this Act and with local Acts pertaining to Jackson County, Alabama, entitled "An Act to create the office of County Road Engineer" and the local Act entitled "An Act to create a Purchasing Agency for Jackson County, Alabama."**

Section 3. Until the first Monday after the second Tuesday in January, of 1949, and until their successors are elected and qualified, the Board of Revenue shall consist of Roy D. Gist, as Chairman, and George Hoback,

Dewey Bryant, John Wallace and Boyd Hall, as Associate Members thereof, from Districts No. 1, 2, 3 and 4, respectively.

Section 4. That during their continuance in office until the first Monday after the second Tuesday in January, 1949, the Chairman of the Board of Revenue shall be paid from the County Treasury or Gas Fund, a monthly salary of Two Hundred Fifty Dollars (\$250.00), per month, and each other such member of the Board shall be paid a monthly salary of Eighty-Five Dollars (\$85.00). No such member, including the Chairman, shall receive any compensation for or reimbursement for the expenses of his services other than his salary, except as hereinafter otherwise provided.

Section 5. That for the purposes of this Act and for future elections of members of the Board of Revenue of Jackson County, Alabama, said County is hereby divided into four subdivisions to be known as Districts and to be numbered one to four, inclusive. District No. 1 shall embrace and be composed of Precincts numbered 1, 3, 6, 7, 8, 9 and 10; District No. 2 shall embrace and be composed of Precincts numbered 13, 14, 15, 20, 21, 22, 32, 35, 36 and 37; District No. 3 shall embrace and be composed of Precincts numbered 4, 5, 11, 12, 24, 28, 29, 30, 38 and 39; and District No. 4 shall embrace and be composed of Precincts numbered 16, 17, 18, 19, 23, 25, 26, 27, 31, 33 and 34.

Section 6. On and after the first Monday after the second Tuesday in January, 1949, the Board of Revenue shall consist of a Chairman and four associate members, all of whom shall be qualified voters of said County.

Section 7. That, at the general election to be held in 1948, the members of said Board, including the Chairman, shall be elected by the qualified voters of the entire county and the term of office of said Chairman and the members shall commence on the first Tuesday after the second Monday in January next succeeding their election and they shall hold office for a period of four years and until their successors are elected and qualified.

Section 8. The Chairman and each member of said Board of Revenue shall be nominated by the voters of the entire County who are authorized to participate in any primary election, caucus, or convention, held or called by any political party for the nomination of said office, and their nomination by the qualified voters of the District, or of any subdivision of said County less than the whole County by any primary election, caucus, or convention is hereby prohibited. The Chairman of said Board shall be a resident of the County continuously during his term of office, and each member of the Board shall be a resident of the District for which he is elected and shall reside in said District continuously during his term of office.

Section 9. Each District shall be entitled to one associate member on said Board, but the Chairman of said Board may reside anywhere in said County.

Section 10. Should any vacancy occur in the said Board of Revenue, such vacancy shall be filled by appointment of the Governor, and the person so appointed shall hold office for the remainder of the term of the place which is vacant.

Section 11. Such Chairman shall be paid from the County Treasury or Gas Fund, a monthly salary of Two Hundred Fifty Dollars (\$250.00) and shall receive no other compensation or reimbursement for the expense of his service, except as specifically may be provided otherwise herein. Each other such member shall receive Ten Dollars (\$10.00) for each day's service not exceeding Forty Dollars (\$40.00), per month, and reasonable travel expenses at not more than Five cents (5c) per mile, incurred in attending regular and special meetings of the Board of Revenue.

Section 12. The Chairman and each other member of the Board of Revenue, before entering upon the duties of his office, shall make and file with the Judge of Probate the statutory oath of office and a bond with good and sufficient sureties, payable to Jackson County, and conditioned upon the faithful performance of the duties of his office. The bond of the Chairman

is hereby fixed at Five Thousand Dollars (\$5,000.00), and the bond of each member at Two Thousand Dollars (\$2,000.00).

Section 13. The Board of Revenue shall hold regular meetings on the fourth Monday in each month, remaining in session as many days as may be necessary, and may hold special meetings at the call of the Chairman. Meetings of the Board of Revenue shall be held at the Court House in and for Jackson County.

Section 14. Action in the name and under the authority of the Board of Revenue may be taken by a majority of the Board of Revenue present and voting at any regular or special meeting, provided at least a quorum is in attendance. A quorum shall consist of the Chairman and two other members, or three members other than the Chairman.

Section 15. It shall be the duty of the Board of Revenue to publish before the 15th day of each succeeding month, in some newspaper published in the County, an itemized statement of the receipts and disbursements of all funds of Jackson County during each month, and the balances remaining in each fund at the close of each month. Such itemized statement shall show each item paid and shall indicate to whom and for what purpose each item was paid. The compensation paid for publication of such itemized statement shall not exceed 1½c per word. If the Board of Revenue shall refuse to publish said itemized statement, each member thereof, including the Chairman, who votes against publication, shall be subject to a penalty of Fifty Dollars (\$50.00). If the Board of Revenue otherwise fails, without good cause, to publish the itemized statement, each member thereof, including the Chairman, must, on conviction, be fined not more than One Hundred Dollars (\$100.00) for each such failure. Such penalties and fines shall be collected upon suit brought by the Circuit or County Solicitor in the name of the County.

Section 16. The Chairman of the Board of Revenue is required to give his entire time and attention to the business of the Board of Revenue. He shall sign the minutes of the proceedings of the Board of Revenue and all warrants or orders for disbursement of moneys of the County drawn on the County Treasurer, and he shall exercise and perform all other rights and duties in relation to the Board of Revenue and shall be liable to the same penalties in connection therewith as are now exercised by the Judge of Probate as provided under the general law of the State in relation to the Court of County Commissioners.

The Chairman shall see to the execution of all orders of the Board of Revenue and he shall, from time to time, inspect the roads and bridges of Jackson County, report the condition thereof to the Board of Revenue and County Engineer, and generally advise with and make recommendations to said Board and Engineer; he shall attend to the securing of deeds to rights-of-ways, when ordered by the Board of Revenue, and shall see that the same are properly recorded and preserved, and for such services he shall be paid reasonable expenses approved by the Board of Revenue.

Section 17. The Chairman of the Board of Revenue shall employ a clerk, who shall devote his entire time to the duties of his office and who shall also be the clerk of the Purchasing Agency for said County, and who shall receive a compensation to be fixed by the Board of Revenue. Such Chairman may, with the approval of the Board, employ such other clerical help and assistants as may be deemed necessary to the proper, efficient and economical operation of the office of the Chairman of the Board of Revenue, the compensation therefor to be fixed by said Board of Revenue. The clerk shall enter the minutes of all proceedings of the Board of Revenue in a well bound book provided him for that purpose, which book shall be kept in the office of the Board of Revenue and shall be open to the inspection of citizens of Jackson County at all reasonable hours. The minutes of the proceedings of the Board of Revenue shall be recorded by the clerk in the minute book within five days from the adjournment of every regular or special meeting of the Board. The clerk shall present to the Board at each regular meeting

a list of all claims which have been filed against the County. He shall also keep a complete record of all receipts and disbursements of all County funds and must be prepared at all times to show the exact financial condition of the County.

Section 18. That all laws, or parts of law, in conflict with the provisions of this Act in so far as they relate to Jackson County be and they are hereby expressly repealed.

Section 19. That if any paragraph, clause or part of this Act shall be declared to be unconstitutional, it shall not affect any other part, or parts, hereof.

Section 20. That this Act shall take effect and be in force upon its passage and approval by the Governor, or its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA JACKSON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says that he is publisher of The Progressive Age, which is and has been during the times herein mentioned, a newspaper of general circulation published in Scottsboro, Jackson County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 29th day of May, 1947, the 5th day of June, 1947, the 12th day of June, 1947, and the 19th day of June, 1947, and that said publication was made without cost to the State of Alabama.

P. W. CAMPBELL.

Sworn to and subscribed before me this 23rd day of June, 1947.

(SEAL)

LOIS STEWART,
Notary Public.

By Messrs. Snodgrass and O'Neal (with notice and proof):

H. 470. To create the office of County Road Engineer of Jackson County, Alabama; to provide for his election or appointment, term of office, discharge, and removal; to fix his qualifications and to prescribe his duties, power and authority; to fix his compensation and manner of payment; to make appropriations or allowances for his expenses and manner of payment; to fix his bond, provide for the approval of the same and for the payment of the premiums thereon; to provide for the holding over of the present County Engineer; to provide for the fixing of scales of wages and salaries; to prohibit the employment of certain persons and to fix penalties for violation of the terms of this Act; to designate the Engineer as the person authorized to make requisition for road supplies and equipment; to provide for setting aside of road funds by Board of Revenue and for expenditure of same; to provide for emergencies; to provide when this Act shall take effect; to provide that the invalidity of any part of this Act shall not affect the remainder of said Act; to repeal all laws or parts of law in conflict with said Act.

Local Legislation.

Notice and Proof H. 470:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that, during the Regular Session of the 1947 Legislature of Alabama, to be re-convened on June 3, 1947, the following Bill will be introduced and passage thereof requested:

A BILL
TO BE ENTITLED
AN ACT

To create the office of County Road Engineer of Jackson County, Alabama; to provide for his election or appointment, term of office, discharge, and removal; to fix his qualifications and to prescribe his duties, power and authority; to fix his compensation and manner of payment; to make appropriations or allowances for his expenses and manner of payment; to fix his bond, provide for the approval of the same and for the payment of the premiums thereon; to provide for the holding over of the present County Engineer; to provide for the fixing of scales of wages and salaries; to prohibit the employment of certain persons and to fix penalties for violation of the terms of this Act; to designate the Engineer as the person authorized to make requisition for road supplies and equipment; to provide for setting aside of road funds by Board of Revenue and for expenditure of same; to provide for emergencies; to provide when this Act shall take effect; to provide that the invalidity of any part of this Act shall not affect the remainder of said Act; to repeal all laws or parts of law in conflict with said Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

• Section 1. That the office of County Road Engineer for Jackson County, Alabama, is hereby created.

Section 2. That said County Road Engineer shall be a thoroughly qualified and competent Civil Engineer, with at least three years practical experience in road building prior to his selection or appointment, and his qualifications shall meet and be the same as those required by the Licensing Board of Engineers of the State of Alabama.

Section 3. That said County Road Engineer shall give his entire time and attention to the construction and maintenance of the Jackson County public roads, highways, bridges and ferries, and he shall have no other business, directly or indirectly, other than prescribed by the terms of this Act, and shall, during his term of office, reside in Jackson County, Alabama.

Section 4. That said County Road Engineer shall be elected to his office by the Board of Revenue of Jackson County, Alabama, from a nomination made by the State Highway Director. If such nomination is not acceptable to said Board of Revenue, the State Highway Director shall be requested to make additional nominations. If the State Highway Director refuses to make the nominations, the Board of Revenue may fill the position of County Road Engineer with any person that has the qualifications herein set out.

Section 5. Provided, however, that the present County Engineer, H. L. Carter, shall hold over and become County Road Engineer under his present salary and compensation, unless the same be changed by agreement between the Board of Revenue of said County and the State Highway Director, until the first Monday after the second Tuesday in January, 1949, unless sooner

removed for cause, which said removal must have the approval of the State Highway Director.

Section 6. That it shall be the duty of said County Road Engineer (1) To employ, supervise and direct all such assistants as are necessary to properly maintain and construct the public roads, highways, bridges and ferries of said County and he shall have authority to prescribe their duties and to discharge said employees for cause or when not needed; (2) To perform such engineering and surveying service as may be required and to prepare and maintain the necessary maps and records; (3) To maintain the necessary accounting records to reflect the cost of the County Highway system; (4) To build or construct new roads, or change old roads, but only when ordered to do so by proper order of the Board of Revenue; (5) It shall be his further duty in so far as is feasible, to construct and maintain all County roads on the basis of the County as a unit, without regard to any district or beat lines.

Section 7. That said County Road Engineer is hereby designated as the person authorized to make written requisition upon the Purchasing Agency of Jackson County for all articles, materials, supplies and equipment necessary for the maintenance or construction of roads, bridges and ferries of said County.

Section 8. That it shall be the duty of the Board of Revenue to fix from time to time in accordance with prevailing economic conditions the various scales of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, bridges and ferries, and said wage or salary scale shall not be exceeded by said Engineer in the employment of labor and assistants.

Section 9. On failure of said Board to so fix said scale of wages or salaries, said Engineer shall request the State Highway Director to fix the same, and the wages or salaries as fixed by said Director shall not be exceeded in the employment of said labor and assistants.

Section 10. No person employed by said Engineer shall be related to him, or to the Chairman, or any other member of the Board of Revenue, within the third degree of consanguinity or affinity, computed by the rules of civil law, and the violation of this Section shall constitute a misdemeanor and subject any party guilty thereof to a fine of not less than Fifty Dollars (\$50.00), nor more than Five Hundred Dollars (\$500.00).

Section 11. That said County Road Engineer shall receive a salary to be fixed by the Board of Revenue not to exceed the sum of Two Thousand Dollars (\$2,000.00), per year, which shall be the County's share of his salary payable in equal monthly instalments, out of the Road and Bridge or Gas Funds of said County.

Section 12. That the term of office of said County Road Engineer (except as to the present Engineer, whose term is hereinabove fixed) shall be for two years and until his successor is elected and qualified, unless removed by the Board of Revenue for cause. Said County Road Engineer shall be eligible to succeed himself if re-nominated by the State Highway Director and re-elected by the Board of Revenue. Any vacancy in said office shall be filled by nomination by the State Highway Director and election by the Board of Revenue, as hereinabove provided.

Section 13. Before entering upon the duties of his office, the County Road Engineer shall make and enter into a surety bond of Five Thousand Dollars (\$5,000.00), payable to Jackson County, for the faithful discharge and performance of the duties of his office, and for the faithful accounting of all moneys or property of said County, which may come into his possession or custody; said bond to be made by a surety company authorized and qualified to do business in Alabama, and to be approved by the Chairman of the Board of Revenue; the premiums thereof to be paid by the County.

Section 14. That said County Road Engineer shall be furnished an office at the Court House, or elsewhere at the County seat and all necessary

office supplies, and shall be furnished all reasonable necessary transportation in connection with the performance of his duties under this Act.

Section 15. That the County Road Engineer shall be the custodian of all road tools, machinery, supplies and equipment of Jackson County and shall be accountable at all times for the same; it shall be his duty to keep said road tools, machinery, supplies and equipment in a substantial warehouse, except when in use for road work. He shall keep on file in his office at all times an up-to-date inventory, containing a list of all said tools, machinery, equipment and supplies belonging to said County.

Section 16. That the authority of said County Road Engineer shall be limited to the expenditure of such funds for the purpose of construction, maintenance or repairs of public roads, bridges and ferries of Jackson County as may be set aside and appropriated by the Board of Revenue of Jackson County, as hereinafter provided; it shall be the duty of the Board of Revenue, or like governing body, of Jackson County, at some meeting in September of each calendar year, or not later than their first meeting in October following, by order or resolution spread upon the minutes of said Board of Revenue, to fix and determine the amount of funds which will be available for the purpose of building, maintaining and constructing public roads, bridges and ferries of Jackson County for the current fiscal year beginning on October 1st, and which amount, other than the salary of said County Road Engineer and his necessary expenses, shall not be exceeded by him in constructing, maintaining and repairing public roads, bridges and ferries in Jackson County during said period, provided, however, that said Board of Revenue, or like governing body, is authorized from time to time within any such period, to increase the amount so allowed to be expended by said County Road Engineer during any such period, when such authorization will not conflict with the general law as provided under the Budget Act, Title 12, Section 74, of the Code of Alabama of 1940.

Provided, further, that if such funds are presently available and have not heretofore been set aside by said Board of Revenue, that immediately upon passage and approval of this Act, it shall be the duty of the Board of Revenue, or like governing body, to immediately set aside a sufficient portion of said funds for the necessary maintenance of said roads until the date of the meeting in September, or October, of 1947, as hereinabove provided for.

Section 17. All materials, machinery, equipment and necessary supplies needed for the construction, maintenance or repair of the public roads, bridges and ferries of Jackson County, Alabama, shall be purchased by the Chairman of the Board of Revenue under authority vested in him as Purchasing Agency for Jackson County, only after written requisition therefor by the County Road Engineer, as provided by the Local Act for Jackson County, Alabama, creating the Purchasing Agency for said County, and upon the filing and approval of each of such requisitions, it shall be the duty of the Chairman of the Board of Revenue as the Purchasing Agency for said County to make purchase of such materials, machinery, equipment and necessary supplies, and same shall be paid for by the Board of Revenue out of any funds available for that purpose, other than the general funds of said County, but only upon proper claims filed and approved by said Purchasing Agency.

Section 18. It shall be the further duty of said County Road Engineer to inspect all materials, machinery, equipment and supplies purchased by Jackson County, Alabama, for use on public roads, bridges and ferries when the same is delivered in Jackson County, and the same shall not be accepted and paid for without first having been approved by him.

Section 19. In the event an emergency should arise in which it should be impossible for the Board of Revenue to employ an Engineer, as above provided for, or, at the salary above fixed, then, and in that event, the Board of Revenue shall employ a competent road supervisor, who need not be an engineer, but, when so employed, he shall have all the duties and authority

of said engineer and be subject to the provisions of this Act, but an emergency shall not be deemed to exist so long as the State Highway Director can nominate an engineer who will accept employment by said Board under the terms of this Act, it being the intention of this Act to provide that, when County roads are to be maintained or constructed in said County, that the supervision thereof shall be either under a County Road Engineer, as hereinabove provided for, or, by a Road Supervisor, who is neither the Chairman nor a member of the Board of Revenue of said County.

Section 20. In the event the State Highway Department should cease to contribute to the salary of said County Road Engineer, then the Board of Revenue shall fix the salary of said Engineer at a reasonable amount to be paid by Jackson County as hereinabove provided.

Section 21. That all laws, or parts of law, in conflict with the provisions of this Act, in so far as they relate to Jackson County, Alabama, be and they are hereby expressly repealed.

Section 22. That, if any paragraph, clause, or part of this Act shall be declared to be unconstitutional, it shall not affect any other part, or parts, hereof.

Section 23. That this Act shall take effect and be in force upon its passage and approval by the Governor, or its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA JACKSON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says that he is publisher of The Progressive Age, which is and has been during the times herein mentioned, a newspaper of general circulation published in Scottsboro, Jackson County, Alabama, and that a certain notice of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 29th day of May, 1947, the 5th day of June, 1947, the 12th day of June, 1947, and the 19th day of June, 1947, and that said publication was made without cost to the State of Alabama.

P. W. CAMPBELL.

Sworn to and subscribed before me this 23rd day of June, 1947.

LOIS STEWART,
Notary Public.

(SEAL)

By Mr. Rogers:

H. 471. To appropriate \$25,000.00 from the Motor Carrier Fund to the Alabama Public Service Commission.

Ways and Means.

By Mr. Richardson (with notice and proof):

H. 472. To provide for the appointment of a deputy clerk of the Circuit Court of Lawrence County, Alabama and to prescribe the duties and fix the compensation of such deputy.

Local Legislation.

Notice and Proof H. 472:

Notice is hereby given that at the regular session of the Legislature of Alabama of 1947 a bill substantially as follows will be introduced and application for its passage and enactment will be made, to wit:

**A BILL
TO BE ENTITLED
AN ACT**

To provide for the appointment of a deputy clerk of the Circuit Court of Lawrence County, Alabama and to prescribe the duties and fix the compensation of such deputy.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the clerk of the Circuit Court of Lawrence County, Alabama be and he is hereby authorized to appoint a deputy clerk for said court and said deputy clerk shall hold office at the pleasure of said Circuit Clerk and shall receive a salary of one hundred dollars (\$100.00) per month to be paid out of the general fund of Lawrence County, Alabama. Said deputy clerk shall possess all of the powers and authority both ministerial and judicial now or hereafter possessed by said Circuit Clerk, and shall also be deputy register at such times as the Clerk of the Circuit Court of Lawrence County, Alabama, is authorized to perform the duties of the register of said court.

Section 2. This Act shall become effective on the first day of the month following the month in which this Act is passed and approved.

PUBLISHER'S AFFIDAVIT

State of Alabama
Lawrence County

Before me, the undersigned authority in and for said County and State, personally appeared Arthur F. Slaton, who, being duly sworn, deposes and says: I am the publisher of The Moulton Advertiser, a newspaper of general circulation in Lawrence County in which the foregoing notice was published once a week for four consecutive weeks, namely, May 29, June 5, 12, 19, 1947.

ARTHUR F. SLATON.

Sworn to and subscribed before me this 20 day of June, 1947.

CHAS. C. McWHORTER,
Notary Public.

(SEAL)

By Mr. Richardson (with notice and proof):

H. 473. To amend Section 3 of Act No. 18, Local Acts of 1898-99, approved December 1, 1898, and to amend Section 5 of said Act, which said Section 5 was amended by an Act approved 6th. day of September, 1927, and further amended by an Act approved October 25, 1932; which said Act establishes a Court of County Revenue for Lawrence County, Alabama, and defines its duties and powers.

Local Legislation.

Notice and Proof H. 473:

Notice is hereby given that at the regular session of the Legislature of Alabama of 1947 a bill substantially as follows will be introduced and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act No. 18, Local Acts of 1898-99, approved December 1, 1898, and to amend Section 5 of said Act, which said Section 5 was amended by an Act approved 6th. day of September, 1927, and further amended by an Act approved October 25, 1932; which said Act establishes a Court of County Revenue for Lawrence County, Alabama, and defines its duties and powers.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 18, Local Acts of 1898-99, is amended to read: "The Court of County Revenue of Lawrence County shall have the jurisdiction, powers, and duties prescribed by law for the Courts of County Commissioners. In addition thereto, each of the four commissioners shall have the duty to supervise the building, repairing, and inspecting of county roads, bridges, buildings, or works within his district, and he shall also act as road foreman in his district. Each commissioner shall devote his entire time to the performance of the duties of his office."

Section 2. Section 5 of Act No. 18, Local Acts of 1898-99, as amended by an Act approved 6th. day of September, 1927, and further amended by an Act approved October 25, 1932, is amended to read:

"(a) The Probate Judge shall be paid out of the General Funds of the County Four dollars (\$4.00) for each day he is actually engaged in the performance of his duties as a member of the Court of County Revenue, for each regular, special or called meeting of said Court of County Revenue.

"(b) Each commissioner shall receive as compensation for the performance of his duties two hundred dollars (\$200.00) per month, payable out of the Gasoline Excise Tax levied by the State of Alabama, accruing to Lawrence County, Alabama, which shall be in lieu of any other compensation, except as provided in Subsection (c) of this section.

"(c) Each commissioner shall provide his own transportation, but shall receive a travel allowance of five cents (\$.05) per mile for each mile actually traveled in discharging the duties of his office, but no member shall receive a travel allowance in excess of Fifty dollars (\$50.00) in any one month, which travel allowance shall be paid out of the Gasoline Excise Tax levied by the State of Alabama, accruing to Lawrence County, Alabama, upon filing with the Chairman of the Court of County Revenue, a sworn itemized mileage expense account showing the total mileage in the performance of his official duties."

Section 3. If any section, paragraph, clause or provision of this Act be declared invalid or unconstitutional by any Court of competent jurisdiction the same shall not affect any other section, paragraph, clause or provision not specifically invalidated.

Section 4. All laws, whether special, local or general which conflict with this Act are hereby expressly repealed in so far as they relate to Lawrence County.

Section 5. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

State of Alabama
Lawrence County

Before me, the undersigned authority in and for said County and State, personally appeared Arthur F. Slaton, who, being duly sworn, deposes and

says: I am the publisher of The Moulton Advertiser, a newspaper of general circulation in Lawrence County in which the foregoing notice was published once a week for four consecutive weeks, namely, May 22, 29, June 5, 12, 1947.

ARTHUR F. SLATON.

Sworn to and subscribed before me this 20 day of June, 1947.

CHAS.C. McWHORTER,

(SEAL)

Notary Public.

By Mr. Bush (with notice and proof):

H. 474. To amend Section 1 of an act entitled "An Act to prescribe the salary and manner of payment of the same, of the Chief Deputy Sheriff of Macon County, Alabama," approved June 22, 1943.

Local Legislation.

Notice and Proof H. 474:

NOTICE OF PROPOSED LOCAL LEGISLATION

As required by Article 4, Section 106 of the Constitution, notice is hereby given of the intention to apply at the next regular session of the Legislature of Alabama for the enactment of the following local law, the provisions of which will be operative in Macon County only.

AN ACT

To amend Section 1 of an act entitled "An Act to prescribe the salary and manner of payment of the same, of the Chief Deputy Sheriff of Macon County, Alabama," approved June 22, 1943.

Be it Enacted by the Legislature of Alabama.

Section 1. That Section 1 of an act entitled "An Act to prescribe the salary and manner of payment of the same, of the Chief Deputy Sheriff of Macon County Alabama," approved June 22, 1943, be and the same is hereby amended to read as follows:

"Section 1. The salary of the Chief Deputy Sheriff of Macon County, Alabama, shall be in the sum of \$2,400.00 per annum, the same to be paid in equal monthly installments out of the treasury of said County, upon the warrant of the Board of Revenue or other governing body of said County."

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

Section 3. That this Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

5-15-4t

PROOF OF PUBLICATION

THE TUSKEGEE NEWS
Tuskegee, Ala.

STATE OF ALABAMA,
Macon County

Before me, a notary public in and for said county and state, personally appeared Hal Fisher, who deposeth and sayeth that he is the publisher of

THE TUSKEGEE NEWS, a weekly newspaper published in said County and State, and that the notice attached hereto was published for 4 consecutive weeks, as follows:

May 15 1947 May 29 1947 May 22 1947 June 5 1947.

Signed:

HAL FISHER

Publisher.

Sworn to and subscribed before me this 23 day of June 1947.

VIRGINIA MORGAN,

Notary Public.

My Commission Expires Mar. 3, 1951.

By Mr. Bush (with notice and proof):

H. 475. To amend Section 1 of an act entitled "An Act to authorize the Board of Revenue of Macon County, Alabama, to provide for an additional Deputy Sheriff; to provide the manner and method of his appointment and to fix his salary and make provisions for payment of same; and prescribe his duties," approved June 22, 1943.

Local Legislation.

Notice and Proof H. 475:

NOTICE OF PROPOSED LOCAL LEGISLATION

As required by Article 4, Section 106 of the Constitution, notice is hereby given of the intention to apply at the next regular session of the Legislature of Alabama for the enactment of the following local law, the provisions of which will be operative in Macon County only.

AN ACT

To amend Section 1 of an act entitled "An Act to authorize the Board of Revenue of Macon County, Alabama, to provide for an additional Deputy Sheriff; to provide the manner and method of his appointment and to fix his salary and make provisions for payment of same; and prescribe his duties," approved June 22 1943.

Be it Enacted by the Legislature of Alabama:

Section 1. That Section 1 of an act entitled "An Act to authorize the Board of Revenue of Macon County, Alabama, to provide for an additional Deputy Sheriff; to provide the manner and method of his appointment and to fix his salary and make provisions for payment of same; and prescribe his duties," approved June 22, 1943, be and the same is hereby amended to read as follows:

"Section 1. That the Board of Revenue of Macon County, Alabama, is hereby authorized to provide an additional Deputy Sheriff to serve at the will of the Board of Revenue; that the Board of Revenue can provide for his salary, which shall not exceed \$2,100.00 per annum, payable in equal monthly installments out of the General Funds of Macon County; that the Sheriff may appoint such Deputy with approval of the Board of Revenue, and said Deputy Sheriff shall perform duties anywhere in said County."

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

Section 3. That this Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

PROOF OF PUBLICATION

THE TUSKEGEE NEWS
Tuskegee, Ala.STATE OF ALABAMA
Macon County

Before me, a notary public in and for said county and state, personally appeared Hal Fisher who deposeth and sayeth that he is the publisher of THE TUSKEGEE NEWS, a weekly newspaper published in said County and State, and that the notice attached hereto was published for 4 consecutive weeks, as follows:

May 15, 1947, May 29, 1947, May 22, 1947, June 5, 1947.

Signed HAL FISHER,
Publisher.

Sworn to and subscribed before me this 23 day of June 1947.

VIRGINIA MORGAN,
Notary Public.

My commission Expires Mar. 3, 1951.

By Mr. Davis:

H. 476. To authorize and provide for the payment of the sum of \$1800.00 for the relief of A. S. Logel, to reimburse him for hospital, doctor and medical bills, and for the permanent loss of the sight of his right eye, by reason of an accident occurring on the 19 day of March, 1944 while the said A. S. Logel was employed by the State of Alabama as a member of the State Highway Patrol, and while he was acting in the line and scope of his employment as a patrolman.

Ways and means.

By Mr. Dyar (with notice and proof):

H. 477. To amend Section V of an Act entitled "To provide for an election of a County Superintendent of Education for Marion County, Alabama, to fix his term of office to provide for filling vacancies therein, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, and to provide for his successor in office.

Local Legislation.

Notice and Proof H. 477:

NOTICE

THE STATE OF ALABAMA,
MARION COUNTY.

Notice is hereby given, that at the regular Session of the 1947 Legislature of Alabama a local bill for Marion County will be introduced which shall read as follows:

To amend Section V of an Act entitled "To provide for an election of a County Superintendent of Education for Marion County, Alabama, to fix his term of office to provide for filling vacancies therein, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, and to provide for his successor in office.

Be it Enacted by the Legislature of Alabama:

Section 1. That Section V of an Act entitled, "To provide for an election of a County Superintendent of Education for Marion County, Alabama, to fix his term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, and to provide for his successor in office" approved June 3, 1935 (Local Acts 1935, pages 18 and 19 inclusive) be, and the same is hereby amended so as to read as follows:

Section V: That the salary of County Superintendent of Education of Marion County, shall be fixed by the County Board of Education in an amount that the Board may seem proper and ample not to exceed \$4,200.00 per year and which salary shall be paid in the same manner and way as now provided under the General Laws of the State of Alabama, for the payment of County Superintendent of Education in the several counties of Alabama, provided, however, that the salary shall not be increased or decreased during the term of office.

Section II: That all laws, general, special or local, in conflict herewith, be, and the same are hereby repealed.

Section III: This Act shall become effective on its approval by the Governor, or otherwise become a law.

This the 26th day of May, 1947.

Signed W. E. DYAR:

5-29-6-5-12-19

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA MARION COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared F. B. McKenzie, who, being by me first duly sworn, deposes and says that he is publisher of The Marion County News, which is and has been during the times herein mentioned, a newspaper of general circulation published in Hamilton, Marion County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 29th day of May 1947, 5th day of June 1947, 12th day of June 1947, 19th day of June 1947, and that said publication was made without cost to the State of Alabama.

F. B. McKENZIE.

Sworn to and subscribed before me this 21 day of June, 1947.

JOHN P. MIDDLETON,

(SEAL)

Notary Public.

By Mr. Dyar (with notice and proof):

H. 478. To allow members of the County Board of Education of Marion County pay not more than 24 days in one year, payable from the General School Funds of Marion County, Alabama.

Local Legislation.

Notice and Proof H. 478:

NOTICE

THE STATE OF ALABAMA,
MARION COUNTY.

Notice is hereby given, that at the regular Session of the 1947 Legislature of Alabama a local bill for Marion County will be introduced which shall read as follows:

As Act:

To allow members of the County Board of Education of Marion County pay not more than 24 days in one year, payable from the General School Funds of Marion County, Alabama.

Be it enacted by the Legislature of Alabama.

Section I. That the members of the County Board of Education of Marion County shall receive from the public school funds of the county \$10.00 per day and their actual traveling and hotel expenses incurred in attending meetings of the Board and transacting business of the Board. The members of the County Board shall not be allowed pay for more than 24 days in any one year and their expenses shall be paid in like manner as provided for compensation of teachers.

Section II. All laws and parts of laws in conflict with this section are hereby expressly repealed and this act shall be in full force and effect from the date of its approval by the Governor of Alabama.

This the 26th day of May, 1947.

Signed W. E. DYAR.

5-29-6-5-12-19.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
MARION COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared F. B. McKenzie, who, being by me first duly sworn, deposes and says that he is publisher of The Marion County News, which is and has been during the times herein mentioned, a newspaper of general circulation published in Hamilton, Marion County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 29th day of May 1947, 5th day of June 1947, 12th day of June 1947, 19th day of June 1947, and that said publication was made without cost to the State of Alabama.

F. B. McKENZIE.

Sworn to and subscribed before me this 21 day of June, 1947.

JOHN P. MIDDLETON,

(SEAL)

Notary Public.

By Messrs. Sullivan, Johnson, Stone (with notice and proof):

H. 479. For the relief of Mrs. Clifford Horn, of Bayou La Batre, Mobile County, Alabama, and to authorize the Board of Revenue and Road Commissioners of Mobile County, Alabama, to compensate the said Mrs. Clifford Horn for damages suffered by her when she was permanently injured as a result of her automobile falling into a washed out bridge between Bayou La Batre and Grand Bay, both in Mobile County, Alabama, on the night of, to-

wit, March 29th, 1946, breaking her leg, bruising her knee and left leg, lacerating her hip and chin, and causing her to be put to great expense in and about her treatment.

Local Legislation.

Notice and Proof H. 479:

NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for the enactment of a law containing, in substance, the provisions of a proposed bill, as follows:

A BILL TO BE ENTITLED AN ACT

For the relief of Mrs. Clifford Horn, of Bayou La Batre, Mobile County, Alabama, and to authorize the Board of Revenue and Road Commissioners of Mobile County, Alabama, to compensate the said Mrs. Clifford Horn for damages suffered by her when she was permanently injured as a result of her automobile falling into a washed out bridge between Bayou La Batre and Grand Bay, both in Mobile County, Alabama, on the night of, to-wit, March 29th, 1946, breaking her leg, bruising her knee and left leg, lacerating her hip and chin, and causing her to be put to great expense in and about her treatment.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Board of Revenue and Road Commissioners of Mobile County, Alabama, be and is hereby authorized to pass upon, allow to pay the claim of Mrs. Clifford Horn against the said Board of Revenue and Road Commissioners of Mobile County, Alabama, on account of damage suffered by her when the automobile in which she was riding on the night of March 29th, 1946, ran into a washed out bridge on the County Road between Bayou La Batre and Grand Bay, Mobile County, Alabama, breaking her leg, bruising her knee and left leg, and lacerating her right hip and chin, permanently injuring her and causing her to be put to great expense in and about her treatment and cure.

Section 2. The amount allowed on account of said claim shall not exceed \$2,000.00.

May 30; June 6, 13, 20.

STATE OF ALABAMA COUNTY OF MOBILE

Personally appeared before me the undersigned authority in and for said state and county C. M. Shepard, Jr. who, being sworn does depose and say he is Publisher of the Mobile Post, a weekly newspaper printed in the English language, of general circulation in Mobile County, Alabama, which has been mailed under the second class mailing privileges of the United States Post Office Department from Mobile, Alabama, for more than 52 weeks prior to the date of attached advertisement and that the attached advertisement was published in the Post on May 30; June 6, 13, 20, 1947.

C. M. SHEPARD JR.

Sworn and subscribed to before me on the 20 day of June 1947.

E. C. DOODY,

(SEAL)

Notary Public, Mobile County, Alabama.

By Mr. Harris:

H. 480. To amend Title 55, Section 312 of the Code of Alabama of 1940.

Judiciary.

By Mr. Brassell:

H. 481. To repeal Section 143 of Title 10 of the 1940 Code of Alabama.

Judiciary.

By Mr. Brassell (with notice and proof):

H. 482. To Alter or rearrange the boundary lines of the City of Phenix City, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Local Government.

Notice and Proof H. 482:

Notice is hereby given that application will be made to the Legislature of Alabama, during its 1947 session for the introduction and passage of the following local act.

A BILL
TO BE ENTITLED
AN ACT

To Alter or rearrange the boundary lines of the City of Phenix City, Alabama so as to include within the corporate limits of said City territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Phenix City, in the County of Russell and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Russell and included in the following boundaries, to-wit:

Beginning at a point on the West Bank of the Chattahoochee River where the half section line of Section 35, Township 18, Range 30 East intersects the State line between the State lines of Alabama and Georgia and continuing thence in a Westerly direction along the half Section line of Sections 35, 34, and 33 to the West boundary of Section 33: thence South along the Western boundary of Section 33, all in Township 18, Range 30 East, along the Western boundary of Sections 4, 9, 16, 21 to the Southwest corner of Section 28, all in Township 17, Range 30 East; thence in an Easterly direction along the South line of said Sections Twenty-eight, Twenty-seven, Twenty-six, Twenty-five and Thirty to the East boundary line of the State of Alabama; thence in a Northerly direction along the East boundary line of the State of Alabama; thence continuing in a Northerly direction along the West Bank of the Chattahoochee River on the dividing line between the States of Georgia and Alabama to the Lee County line and the point of beginning.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall take effect upon its passage and approval.
P. C. 22-4ts.

STATE OF ALABAMA
RUSSELL COUNTY

Before me, a Notary Public, in and for said County, in said state, personally appeared Isabel A. Moses, who being known to me, after first having been duly sworn, deposes and says:

That she is the Publisher of the Phenix-Girard Journal, a newspaper published in Phenix City, Russell County, Alabama, and having a general circulation in said County and that the attached notice of the intention to apply for the passage of a law affecting said Russell County was published in said newspaper once a week for four consecutive weeks in the issues of May 30th, June 6th, June 13th and June 20th, 1947; that said newspaper was printed all in Alabama and published in Russell County, Alabama, and is printed in the English language and has a general circulation in said County of Russell in which it is published and said newspaper has been mailed under the second class mailing privileges of the United States Post-Office in Phenix City, Alabama, where it is published, for Fifty-two weeks prior to the first publication of said notice in said newspaper.

ISABEL A. MOSES,
Publisher.

Sworn to and subscribed before me this the 21st day of June, 1947.

ISAAC I. MOSES,
Notary Public.

(SEAL)

By Mr. Brassell:

H. 483. To amend Section 284 of Title 14 of the 1940 Code of Alabama.

Judiciary.

By Messrs. Brassell, Cole (with notice and proof):

H. 484. To prescribe the limit of the Police Jurisdiction of and for the City of Phenix City, Alabama.

Local Government.

Notice and Proof H. 484:

Notice is hereby given that application will be made to the Legislature of Alabama at its 1947 session for the passage of the following local bill:

A BILL
TO BE ENTITLED
AN ACT

To prescribe the limit of the Police Jurisdiction of and for the City of Phenix City, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the limit of the Police Jurisdiction of and for the City of Phenix City, Alabama shall extend only one and one half (1½) miles from the city limit of said City.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.
P. C. 22-4ts.

STATE OF ALABAMA
RUSSELL COUNTY

Before me, a Notary Public, in and for said County, in said state, personally appeared Isabel A. Moses, who being known to me, after first having been duly sworn, deposes and says:

That she is the Publisher of the Phenix-Girard Journal, a newspaper published in Phenix City, Russell County, Alabama, and having a general circulation in said County and that the attached notice of the intention to apply for the passage of a local law affecting said Russell County was published in said newspaper once a week for four consecutive weeks in its issues of May 30th, June 6th, June 13th and June 20th, 1947; that said newspaper was printed all in Alabama and published in Russell County, Alabama, and is printed in the English language and has a general circulation in said County of Russell in which it is published and said newspaper has been mailed under the second class mailing privileges of the United States Post-Office in Phenix City, Alabama, where it is published for Fifty-two weeks prior to the first publication of said notice in said newspaper.

ISABEL A. MOSES,
Publisher.

Sworn to and subscribed before me this the 21st day of June, 1947.

ISAAC. I. MOSES,
Notary Public.

(SEAL)

By Mr. Brassell:

H. 485. Providing further for the general revenue of the State, the counties, and the municipalities of Alabama: levying and permitting the levy of certain licenses; providing that such State and County licenses shall be in lieu of certain State and county licenses levied in Section 613 of Title 51 of the 1940 Code; providing for the collection and enforcement thereof.

Ways and Means.

By Mr. Barnett:

H. 486. To provide that no evidence shall be received in the Courts of Alabama in suits or proceedings brought upon policies of insurance on buildings or other property against loss or damage by fire or other hazards hereafter issued or renewed that the property insured was worth, at the time of insuring it by the policy, less than the full sum insured therein on such property.

Judiciary.

By Mr. Barnett:

H. 487. To provide for the payment to the beneficiary of a reasonable attorney's fee by defendant in all cases where judgments or decrees of the Courts of Alabama are rendered against any person, company, corporation, co-partnership, association or other insurer and in favor of the beneficiary under any policy or contract of insurance executed by any such insurer, and to prescribe the manner of fixing and collecting such fees.

Judiciary.

By Mr. Barnett:

H. 488. To require fire insurance companies doing business in Alabama and issuing policies against loss by fire or otherwise to refund to the policy holder or holders the premiums paid on the amount which constitutes the difference between the amount stated on the policies upon which the premiums were paid and the amount paid thereunder, with interest thereon from the time of

payment of such premiums; to require the premiums to be apportioned when several policies are issued upon the same property by different companies; to provide the manner in which the amount required to be refunded under this Act may be recovered by policy holders, and to render void any provision in any policy in conflict with the provisions of this Act.

Judiciary.

By Messrs. Norman and McIlwain:

H. 489. To Amend Section 69 of Title 8 of the Code of Alabama of 1940.

Conservation.

By Mr. Ingalls:

H. 490. To amend Section 4 of Title 12 of the 1940 Code of Alabama.

Education.

By Mr. Roberts (by request):

H. 491. To amend Title 46, Section 300, Code of Alabama 1940.

Judiciary.

By Mr. Roberts (by request):

H. 492. To amend Title 46, Section 304, Code of Alabama 1940.

Judiciary.

By Mr. Merrill:

H. 493. To provide that Judges of Probate are prohibited from causing the names of candidates for county offices to be printed on ballots in general elections under certain conditions; to provide those conditions; to provide a test for ascertaining the number of qualified electors in a county and the number of votes cast in any primary elections; to provide for exceptions to the provisions of the act and to provide for its becoming law.

Constitution and Elections.

By Messrs. Garrett, Lovelace:

H. 494. To amend Section 913 of Title 51 of the 1940 Code of Alabama, which relates to refund of overpayments of taxes to the State Department of Revenue.

Ways and Means.

By Mr. Thompson (Crenshaw):

H. 495. To prohibit the infliction of corporal punishment of convicts and to prescribe penalties for violating this Act.

Public Welfare.

By Messrs. Sullivan, Stone (with notice and proof):

H. 496. To require the Tax Assessor of Mobile County, Alabama in addition to such duties as are now required of him by law,

to act in an advisory capacity to the Mobile County Board of Equalization, and to investigate complaints as to assessments and make reports thereon to said Board, and to provide for additional compensation of the Tax Assessor of Mobile County, Alabama, on account of such extra duties.

Local Legislation.

Notice and Proof H. 496:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Regular Session of the Alabama Legislature at its meeting commencing in May, 1947, for the passage of an act in substance as follows:

A BILL ENTITLED AN ACT

To require the Tax Assessor of Mobile County, Alabama in addition to such duties as are now required of him by law, to act in an advisory capacity to the Mobile County Board of Equalization, and to investigate complaints as to assessments and make reports thereon to said Board, and to provide for additional compensation of the Tax Assessor of Mobile County, Alabama, on account of such extra duties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That in addition to all duties required of the Tax Assessor of Mobile County, Alabama by law, as Secretary to the Board of Equalization, of Mobile County, Alabama that he shall cause investigations to be made of all real or personal property subject to tax assessment in Mobile County Alabama, when requested so to do by the said Board of Equalization of said County and furnish said Board such information as it might desire in connection with any tax assessments and the property covered by any tax assessments and that Tax Assessor shall likewise be required to furnish said Board with any information available to him concerning any tax assessments of any and all property in Mobile County, Alabama, upon request, before or after establishing any assessment value thereon by said Board.

Section 2. The Tax Assessor of Mobile County, Alabama, be and is hereby allowed as compensation for the performance of the duties and rendition of the services required of him by this Act, the sum of 1,500.00 per annum, in addition to the compensation now fixed by law, which said additional compensation shall be payable in twelve equal monthly installments, one of said installments being payable at the same time and in the same manner as the salary of the Tax Assessor of Mobile County, Alabama, is now paid.

Section 3. This Act shall take effect on its approval by the Governor. May 30; June 6, 13, 20.

STATE OF ALABAMA COUNTY OF MOBILE

Personally appeared before me the undersigned authority in and for said state and county, C. M. Shepard, Jr., who, being sworn does depose and say he is Publisher of the Mobile Post, a weekly newspaper printed in the English language, of general circulation in Mobile County, Alabama,

which has been mailed under the second class mailing privileges of the United States Post Office Department from Mobile, Alabama, for more than 52 weeks prior to date of attached advertisement and that the attached advertisement was published in the Post on May 30; June 6, 13 and 20, 1947.

C. M. SHEPARD, JR.

Sworn and subscribed to before me on the 20 of June, 1947.

E. C. DOODY,

(SEAL)

Notary Public, Mobile County, Alabama.

By Messrs. Beatty, Meeks, Dumas, Adams (Jefferson):

H. 497. Providing for the regulation and licensing of private business schools and classes in the State of Alabama defining the schools and classes to be included under the Act, conferring duties upon the Board of Directors of the Alabama Association of Business Colleges, providing appropriations, fixing fees and responsibilities, prescribing manner of applying for such license, penalties for nonconformance, and providing for the right of appeal.

Education.

BILLS ON THIRD READING

H. 325. To create the office of County Solicitor of Autauga County, Alabama; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; to define his qualifications; and to repeal all general and local laws in conflict herewith so far as they relate to Autauga County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | McClendon | Rogers |
| Adams (Jefferson) | Doughty | McDanal | Sellers |
| Barnett | Duffee | McDonald | Shelton |
| Beatty | Faulk | McIlwain | Shirley |
| Benford | Ganey | Malone | Snodgrass |
| Bennett | George | Martin | Sullivan |
| Black | Gibson | Mathison | Taylor (Autauga) |
| Brannan | Gillis | Meeks | Thagard |
| Brassell | Givhan | Merrill | Thomp- |
| Buckner | Hankins | Miller | son (Crenshaw) |
| Bush | Harris | Mitchell | Thompson (Pike) |
| Callahan | Harrison | Nelson | Vann |
| Coburn | Haynes (Lowndes) | O'Neal | Wallace |
| Cox | Head | Ramey | Ward |
| Crocker | Hornsby | Richardson | Weaver |
| Davis | Howell | Roberts | Whitcomb |
| Denton | Inzer | Robinson | White (Covington) |
| Dobbs (Elmore) | Johnston | | |

—69

And the bill:

H. 326. To Amend Section 5 of an Act Entitled "An Act To Establish a Board of Revenue for Autauga County and to define

the Powers and Duties of said Board of Revenue" Approved February 27, 1879.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Hornsby | Robinson |
| Adams (Dale) | Dobbs (Elmore) | Inzer | Rogers |
| Adams (Jefferson) | Dobbs (Fayette) | Johnston | Shelton |
| Barnett | Doughty | McClendon | Shirley |
| Beatty | Duffee | McDanal | Snodgrass |
| Benford | Evans | McDonald | Taylor (Autauga) |
| Bennett | Faulk | McIlwain | Thagard |
| Black | Ganey | Martin | Thomp |
| Brassell | George | Mathison | son (Crenshaw) |
| Buckner | Gibson | Meeks | Thompson (Pike) |
| Bush | Gillis | Merrill | Vann |
| Callahan | Hankins | Mitchell | Wallace |
| Coburn | Harris | Nelson | Ward |
| Cox | Harrison | O'Neal | Weaver |
| Crocker | Haynes (Franklin) | Ramey | Whitcomb |
| Davis | Head | Richardson | White (Covington) |

—63

And the bill:

H. 327. To authorize and empower the Judge of Probate of Autauga County, Alabama, to appoint a Chief Clerk, and to fix the salary and to provide the method of payment of salary of said Chief Clerk.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Denton | Inzer | Richardson |
| Adams (Dale) | Dobbs (Elmore) | Johnston | Roberts |
| Adams (Jefferson) | Dobbs (Fayette) | Lovelace | Robinson |
| Barnett | Doughty | McClendon | Rogers |
| Beatty | Duffee | McDanal | Shelton |
| Benford | Evans | McDonald | Shirley |
| Bennett | Faulk | McIlwain | Snodgrass |
| Black | Ganey | Mason | Taylor (Autauga) |
| Brannan | George | Mathison | Thagard |
| Brassell | Gibson | Merrill | Thomp- |
| Buckner | Gillis | Miller | son (Crenshaw) |
| Bush | Givhan | Mitchell | Thompson (Pike) |
| Callahan | Hankins | Molette | Vann |
| Coburn | Harris | Nelson | Wallace |
| Cole | Harrison | O'Neal | Ward |
| Cox | Haynes (Franklin) | Finson | Weaver |
| Crocker | Head | Ramey | White (Covington) |
| Davis | | | |

—68

And the bill:

H. 328. To abolish the office of deputy solicitor of Autauga County, Alabama, to fix the time when such office shall be abolish-

ed, and to provide that such bill shall not affect any general, special, or local laws except as herein provided for.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Denton | Head | Ramey |
| Adams (Dale) | Dobbs (Elmore) | Howell | Richardson |
| Adams (Jefferson) | Dobbs (Fayette) | Inzer | Robinson |
| Barnett | Doughty | Leonard | Rogers |
| Beatty | Duffee | Lovelace | Shelton |
| Benford | Dyar | McClendon | Shirley |
| Bennett | Evans | McDanal | Snodgrass |
| Black | Faulk | McDonald | Taylor (Autauga) |
| Brassell | Ganey | McIlwain | Thagard |
| Broadwater | Garrett | Martin | Thomp- |
| Buckner | George | Mathison | son (Crenshaw) |
| Bush | Gibson | Merrill | Thompson (Pike) |
| Callahan | Gillis | Miller | Wallace |
| Coburn | Givhan | Mitchell | Ward |
| Cole | Hankins | Molette | Weaver |
| Cox | Harris | Nelson | Whitcomb |
| Crocker | Harrison | O'Neal | White (Covington) |
| Davis | Haynes (Franklin) | Pinson | |

—70

And the bill:

H. 329. To authorize and empower the Board of Revenue of Autauga County, Alabama, to expend County Funds not exceeding \$3000.00 per annum for purposes not otherwise provided by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Lovelace | Rogers |
| Adams (Jefferson) | Dobbs (Fayette) | McClendon | Shelton |
| Barnett | Evans | McDanal | Shirley |
| Beatty | Faulk | McDonald | Snodgrass |
| Benford | Ganey | Martin | Taylor (Autauga) |
| Bennett | Garrett | Mathison | Thagard |
| Brannan | George | Merrill | Thomas |
| Brassell | Gillis | Miller | Thomp- |
| Broadwater | Givhan | Mitchell | son (Crenshaw) |
| Buckner | Hankins | Molette | Thompson (Pike) |
| Bush | Harris | Nelson | Vann |
| Callahan | Harrison | O'Neal | Wallace |
| Coburn | Haynes (Franklin) | Pinson | Ward |
| Cole | Howell | Ramey | Weaver |
| Cox | Inzer | Richardson | Whitcomb |
| Crocker | Johnston | Roberts | White (Covington) |
| Davis | Leonard | Robinson | |

—66

And the bill:

H. 387. To extend, alter and re-arrange the boundary lines

and corporate limits of the Town of Lockhart, Covington County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|------------|---------------------|
| Mr. Speaker | Dobbs (Elmore) | Johnston | Sadler |
| Adams (Dale) | Dobbs (Fayette) | Knight | Shelton |
| Adams (Jefferson) | Doughty | Leonard | Shirley |
| Beatty | Duffee | Lovlace | Snodgrass |
| Benford | Evans | McClendon | Stone |
| Bennett | Faulk | McDonald | Taylor (Autauga) |
| Brannan | Ganey | Malone | Thagard |
| Brassell | Garrett | Martin | Thomas |
| Broadwater | George | Mathison | Thompson (Crenshaw) |
| Buckner | Gibson | Merrill | Thompson (Pike) |
| Busby | Gillis | Miller | Vann |
| Bush | Givhan | Mitchell | Wallace |
| Callahan | Hankins | Nelson | Ward |
| Coburn | Harris | Pinson | Weaver |
| Cole | Harrison | Ramey | Whitcomb |
| Cox | Head | Richardson | White (Covington) |
| Crocker | Howell | Roberts | Wood (Bibb) |
| Davis | Ingalls | Robinson | |
| Denton | Inzer | | |

—73

And the bill:

H. 399. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Russellville in Franklin County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Duffee | Larkins | Robinson |
| Adams (Dale) | Evans | Leonard | Shelton |
| Adams (Jefferson) | Faulk | Lovlace | Shirley |
| Beatty | Ganey | McClendon | Sightler |
| Benford | Garrett | McDonald | Snodgrass |
| Bennett | George | McIlwain | Still |
| Brannan | Gibson | Malone | Stone |
| Brassell | Gillis | Martin | Taylor (Autauga) |
| Buckner | Givhan | Mathison | Thagard |
| Busby | Hankins | Merrill | Thomas |
| Bush | Harrison | Miller | Thompson (Crenshaw) |
| Callahan | Haynes (Franklin) | Mitchell | Thompson (Pike) |
| Coburn | Haynes (Lowndes) | Molette | Wallace |
| Cole | Head | Nelson | Ward |
| Cox | Hornsby | O'Neal | Weaver |
| Crocker | Howell | Pinkston | Whitcomb |
| Davis | Ingalls | Pinson | White (Covington) |
| Denton | Inzer | Ramey | Wood (Bibb) |
| Dobbs (Elmore) | Johnston | Richardson | |
| Dobbs (Fayette) | Knight | Roberts | |

—78

And the bill:

H. 395. To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Knight | Rogers |
| Adams (Dale) | Dobbs (Fayette) | Larkins | Shelton |
| Adams (Jefferson) | Duffee | Leonard | Shirley |
| Barnett | Dyar | Lovelace | Sightler |
| Beatty | Evans | McClendon | Snodgrass |
| Benford | Faulk | McDanal | Still |
| Bennett | Ganey | McDonald | Stone |
| Black | Garrett | McIlwain | Sullivan |
| Brannan | George | Martin | Taylor (Autauga) |
| Brassell | Gibson | Mathison | Thagard |
| Broadwater | Gillis | Merrill | Thomas |
| Buckner | Hankins | Miller | Thompson |
| Busby | Harrison | Mitchell | son (Crenshaw) |
| Bush | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Callahan | Head | O'Neal | Wallace |
| Coburn | Hornsby | Pinkston | Ward |
| Cole | Howell | Ramey | Weaver |
| Cox | Ingalls | Richardson | Whitcomb |
| Crocker | Inzer | Roberts | White (Covington) |
| Davis | Johnston | Robinson | Wood (Bibb) |
| Denton | | | |

—80

And the bill:

H. 400. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

| | | | |
|--------------|------------------|-----------|------------------|
| Mr. Speaker | Dobbs (Elmore) | Head | O'Neal |
| Adams (Dale) | Dobbs (Fayette) | Hornsby | Pinkston |
| Benford | Doughty | Howell | Pinson |
| Bennett | Duffee | Ingalls | Ramey |
| Black | Evans | Inzer | Richardson |
| Brannan | Faulk | Knight | Roberts |
| Brassell | Ganey | Larkins | Robinson |
| Broadwater | Garrett | Leonard | Sellers |
| Buckner | Gibson | McClendon | Shelton |
| Bush | Gillis | McDonald | Sightler |
| Callahan | Givhan | Mathison | Snodgrass |
| Coburn | Hankins | Merrill | Still |
| Cole | Harris | Mason | Stone |
| Cox | Harrison | Miller | Sullivan |
| Denton | Haynes (Lowndes) | Mitchell | Taylor (Autauga) |

| | | | |
|---------------------|-----------------|----------|-------------------|
| Thomas | Thompson (Pike) | Weaver | White (Covington) |
| Thompson (Crenshaw) | Wallace | Whitcomb | Wood (Bibb) |
| | Ward | | |

—69

And the bill:

H. 401. To amend Section 2, as amended by a Local Act of the Legislature of Alabama, approved June 18, 1943, of a Local Act entitled "An Act to fix and regulate the salary to be charged or received by the tax collector of Mobile County; to provide for assistants to the said tax collector, and their compensation; to fix and regulate the method and basis of payments and collection of such salary of the tax collector and compensation for his assistants; to provide that such salary shall be in lieu of all other compensation, fees, commissions or emoluments; to declare the provisions of existing law, touching the commission of tax collectors for collecting general and special and school taxes, inapplicable to Mobile County; and to provide for the payment, into the County Treasury of Mobile County, of certain moneys, fees and penalties that were heretofore part of the compensation, emoluments and perquisites of the office of the Tax Collector of Mobile County, Alabama," enacted by the Legislature of 1935 and approved August 15th, 1935, and set out in Local Acts of Alabama of 1935, page 139.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|------------|---------------------|
| Mr. Speaker | Dobbs (Fayette) | McDonald | Shelton |
| Adams (Dale) | Doughty | McIlwain | Sightler |
| Adams (Jefferson) | Duffee | Martin | Snodgrass |
| Barnett | Faulk | Mason | Still |
| Benford | Ganey | Mathison | Stone |
| Bennett | George | Merrill | Sullivan |
| Black | Gibson | Miller | Taylor (Autauga) |
| Brannan | Gillis | Mitchell | Taylor (Hale) |
| Brassell | Hankins | Nelson | Thomas |
| Broadwater | Harris | O'Neal | Thompson (Crenshaw) |
| Busby | Harrison | Pinkston | Thompson (Pike) |
| Bush | Head | Pinson | Wallace |
| Callahan | Howell | Ramey | Ward |
| Coburn | Inzer | Richardson | Weaver |
| Cole | Johnston | Roberts | Whitcomb |
| Cox | Larkins | Robinson | White (Covington) |
| Crocker | Leonard | Rogers | Wood (Bibb) |
| Denton | McClendon | Sellers | |
| Dobbs (Elmore) | McDanal | | |

—73

And the bill:

H. 404. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Doughty | McDonald | Shelton |
| Adams (Dale) | Duffee | McIlwain | Shirley |
| Adams (Jefferson) | Evans | Malone | Sightler |
| Barnett | Faulk | Martin | Snodgrass |
| Beatty | Ganey | Mason | Still |
| Benford | Garrett | Mathison | Stone |
| Bennett | George | Merrill | Sullivan |
| Brannan | Gibson | Miller | Taylor (Autauga) |
| Brassell | Gillis | Mitchell | Taylor (Hale) |
| Broadwater | Hankins | Molette | Thomas |
| Buckner | Harrison | Nelson | Thomp- |
| Busby | Haynes (Lowndes) | O'Neal | son (Crenshaw) |
| Callahan | Head | Pinkston | Thompson (Pike) |
| Coburn | Howell | Pinson | Wallace |
| Cole | Inzer | Ramey | Ward |
| Cox | Johnston | Richardson | Weaver |
| Crocker | Larkins | Roberts | Whitcomb |
| Denton | Leonard | Robinson | White (Covington) |
| Dobbs (Elmore) | McClendon | Rogers | Wood (Bibb) |
| Dobbs (Fayette) | | | |

—76

And the bill:

H. 406. To fix the compensation or salary to be paid the tax collector of Montgomery County, Alabama, and to regulate the payment of same, to provide for the selection of clerical help and other assistance to said officer and the manner of fixing his compensation and paying the same, and to provide rules and regulations for the payment and conduct of such officer; and to require such officer to pay into the county treasury of said county all costs, charges of courts, fees and commissions authorized by law to be collected by said officer as other monies belonging to said county are paid, except any salary, fees or commissions paid said officer for collecting taxes for any municipality.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|--------------|-----------------|------------------|------------|
| Mr. Speaker | Cox | Givhan | Malone |
| Adams (Dale) | Crocker | Hankins | Martin |
| Barnett | Denton | Harris | Mason |
| Beatty | Dobbs (Elmore) | Harrison | Mathison |
| Benford | Dobbs (Fayette) | Haynes (Lowndes) | Merrill |
| Bennett | Doughty | Head | Miller |
| Brannan | Duffee | Howell | Mitchell |
| Brassell | Evans | Inzer | Molette |
| Broadwater | Faulk | Larkins | Nelson |
| Buckner | Ganey | Leonard | O'Neal |
| Busby | Garrett | Lovelace | Pinkston |
| Callahan | George | McClendon | Pinson |
| Coburn | Gibson | McDonald | Ramey |
| Cole | Gillis | McIlwain | Richardson |

| | | | |
|----------|------------------|-----------------|-------------------|
| Roberts | Sightler | Thomas | Ward |
| Robinson | Snodgrass | Thomp- | Weaver |
| Rogers | Still | son (Crenshaw) | Whitcomb |
| Sellers | Sullivan | Thompson (Pike) | White (Covington) |
| Shelton | Taylor (Autauga) | Wallace | Wood (Bibb) |
| Shirley | Taylor (Hale) | | |

—77

And the bill:

S. 131. To amend Section 1 and 3 of An Act entitled "An Act To abolish the office of Deputy Solicitor of Marion County, and to create in lieu thereof the office of County Solicitor of Marion County; to provide for said County Solicitor and for his election; and prescribe his term of office, powers, duties, jurisdiction and compensation", approved May 15, 1943.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Leonard | Sellers |
| Adams (Dale) | Dobbs (Fayette) | McClendon | Shelton |
| Adams (Jefferson) | Doughty | McDonald | Sightler |
| Barnett | Duffee | Malone | Snodgrass |
| Benford | Faulk | Martin | Still |
| Bennett | Ganey | Mason | Stone |
| Brannan | Garrett | Mathison | Sullivan |
| Brassell | George | Merrill | Taylor (Autauga) |
| Broadwater | Gillis | Miller | Taylor (Hale) |
| Buckner | Hankins | Mitchell | Thomas |
| Busby | Harris | Nelson | Thomp- |
| Callahan | Harrison | O'Neal | son (Crenshaw) |
| Coburn | Haynes (Lowndes) | Pinkston | Wallace |
| Cole | Head | Ramey | Weaver |
| Cox | Howell | Richardson | Whitcomb |
| Crocker | Inzer | Roberts | White (Covington) |
| Davis | Knight | Robinson | White (Perry) |
| Denton | Larkins | Rogers | Wood (Bibb) |

—71

And the bill:

S. 132. To amend Sections 2 and 8 of An Act entitled "An Act To further regulate the County Court of Marion County, Alabama; to define its jurisdiction and powers; to provide for a judge of said Court and for his election, and to prescribe his term of office, powers, jurisdiction, duties and compensation; to make said Court a court of record, and to provide that said court shall be open at all times for the trial of cases and the transaction of business; and to prescribe rules and procedure for said Court," approved May 15, 1943.

Was read a third time at length and passed.

Yeas 69; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Leonard | Sellers |
| Adams (Dale) | Doughty | McDanal | Shelton |
| Adams (Jefferson) | Duffee | McDonald | Sightler |
| Barnett | Evans | McIlwain | Still |
| Benford | Ganey | Martin | Stone |
| Bennett | Garrett | Mason | Sullivan |
| Brannan | George | Mathison | Taylor (Autauga) |
| Brassell | Gibson | Merrill | Taylor (Hale) |
| Broadwater | Gillis | Miller | Thomas |
| Buckner | Hankins | Mitchell | Thomp- |
| Busby | Harris | Nelson | son (Crenshaw) |
| Callahan | Harrison | Pinkston | Wallace |
| Coburn | Haynes (Lowndes) | Ramey | Weaver |
| Cole | Head | Richardson | Whitcomb |
| Cox | Howell | Roberts | White (Covington) |
| Crocker | Inzer | Robinson | White (Perry) |
| Denton | Johnston | Rogers | Wood (Bibb) |
| Dobbs (Elmore) | Larkins | | |

—69

And the bill:

H. 396. To provide an additional method by which the City of Huntsville may extend its corporate limits in addition to any other method now provided by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | McClendon | Sadler |
| Adams (Dale) | Evans | McDanal | Sellers |
| Adams (Jefferson) | Faulk | McDonald | Shelton |
| Barnett | Garrett | Malone | Shirley |
| Benford | George | Martin | Snodgrass |
| Bennett | Gibson | Mason | Still |
| Brannan | Gillis | Meeks | Stone |
| Brassell | Hankins | Merrill | Sullivan |
| Broadwater | Harris | Miller | Taylor (Autauga) |
| Busby | Harrison | Mitchell | Taylor (Hale) |
| Callahan | Haynes (Franklin) | Nelson | Thomp- |
| Coburn | Head | O'Neal | son (Crenshaw) |
| Cole | Hornsby | Pinkston | Thompson (Pike) |
| Crocker | Howell | Ramey | Weaver |
| Davis | Ingalls | Richardson | Whitcomb |
| Denton | Inzer | Roberts | White (Covington) |
| Dobbs (Elmore) | Johnston | Robinson | White (Perry) |
| Dobbs (Fayette) | Knight | Rogers | Wood (Bibb) |
| Duffee | Larkins | | |

—73

And the bill:

H. 311. To regulate the jurisdiction of Justices of the Peace and Notary Publics and Ex Officio Justices of the Peace in Pickens County; their places for holding courts and their fees as such.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Doughty | Leonard | Sellers |
| Adams (Dale) | Duffee | Lovelace | Shelton |
| Adams (Jefferson) | Evans | McClendon | Shirley |
| Benford | Faulk | McDanal | Snodgrass |
| Bennett | Ganey | McDonald | Still |
| Brannan | Garrett | McIlwain | Taylor (Autauga) |
| Brassell | George | Martin | Taylor (Hale) |
| Broadwater | Gillis | Mason | Thomas |
| Buckner | Hankins | Mathison | Thomp- |
| Busby | Harris | Merrill | son (Crenshaw) |
| Callahan | Harrison | Miller | Thompson (Pike) |
| Coburn | Haynes (Franklin) | Mitchell | Wallace |
| Cole | Haynes (Lowndes) | Molette | Ward |
| Cox | Head | Nelson | Weaver |
| Crocker | Inzer | Pinson | Whitcomb |
| Davis | Johnston | Ramey | White (Covington) |
| Denton | Knight | Roberts | White (Perry) |
| Dobbs (Elmore) | Larkins | Robinson | Wood (Bibb) |
| Dobbs (Fayette) | | | |

—72

And the bill:

H. 408. To validate certain expenditures ordered by the governing body of Russell County for the relief of (W. H. Simmons).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Duffee | Leonard | Shelton |
| Adams (Dale) | Dumas | Lovelace | Shirley |
| Adams (Jefferson) | Dyar | McClendon | Sightler |
| Benford | Evans | McDanal | Snodgrass |
| Brannan | Faulk | McDonald | Still |
| Brassell | Garrett | Malone | Taylor (Autauga) |
| Broadwater | George | Martin | Taylor (Hale) |
| Buckner | Gibson | Mason | Thomas |
| Busby | Gillis | Mathison | Thomp- |
| Bush | Hankins | Meeks | son (Crenshaw) |
| Callahan | Harrison | Merrill | Thompson (Pike) |
| Cole | Haynes (Franklin) | Miller | Wallace |
| Cox | Haynes (Lowndes) | Mitchell | Ward |
| Crocker | Head | Molette | Weaver |
| Denton | Howell | Pinkston | Whitcomb |
| Dobbs (Elmore) | Inzer | Pinson | White (Covington) |
| Dobbs (Fayette) | Knight | Ramey | White (Perry) |
| Doughty | Larkins | Roberts | Wood (Bibb) |

—71

And the bill:

S. 150. To alter and re-arrange the boundary lines of the City of Talladega, Alabama and to describe the area included in such boundary lines and within the corporate limits of said City of Talladega, Alabama.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|----------|-----------|-------------------|
| Mr. Speaker | Duffee | Leonard | Richardson |
| Adams (Dale) | Dumas | Lovelace | Roberts |
| Adams (Jefferson) | Dyar | McClendon | Rogers |
| Barnett | Evans | McDonald | Sellers |
| Benford | Ganey | McIlwain | Shelton |
| Bennett | Garrett | Malone | Sightler |
| Brannan | George | Martin | Snodgrass |
| Brassell | Gillis | Mason | Still |
| Broadwater | Hankins | Mathison | Taylor (Hale) |
| Buckner | Harris | Merrill | Thomas |
| Callahan | Harrison | Miller | Thomp- |
| Coburn | Head | Mitchell | son (Crenshaw) |
| Cole | Hornsby | Molette | Wallace |
| Cox | Howell | Nelson | Weaver |
| Denton | Inzer | O'Neal | Whitcomb |
| Dobbs (Elmore) | Johnston | Pinkston | White (Covington) |
| Dobbs (Fayette) | Knight | Pinson | White (Perry) |
| Doughty | Larkins | Ramey | Wood (Bibb) |

—71

And the bill:

S. 158. To fix the term of office of the Tax Assessor of Tuscaloosa County, Alabama, and to provide for his election.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dumas | McClendon | Shelton |
| Adams (Dale) | Dyar | McDonald | Shirley |
| Adams (Jefferson) | Evans | Malone | Sightler |
| Barnett | Faulk | Martin | Snodgrass |
| Benford | Ganey | Mason | Still |
| Bennett | Garrett | Mathison | Taylor (Autauga) |
| Brassell | George | Meeks | Taylor (Hale) |
| Broadwater | Gibson | Merrill | Thomas |
| Buckner | Gillis | Miller | Thomp- |
| Busby | Hankins | Mitchell | son (Crenshaw) |
| Bush | Harrison | Molette | Thompson (Pike) |
| Callahan | Haynes (Lowndes) | Nelson | Wallace |
| Coburn | Head | O'Neal | Ward |
| Cole | Hornsby | Pinkston | Weaver |
| Cox | Howell | Pinson | Whitcomb |
| Denton | Inzer | Ramey | White (Covington) |
| Dobbs (Elmore) | Johnston | Richardson | White (Perry) |
| Dobbs (Fayette) | Knight | Roberts | Wood (Bibb) |
| Doughty | Larkins | Rogers | Wood (Washington) |
| Duffee | Leonard | Sellers | |

—78

And the bill:

S. 159. To fix the term of office of the Tax Collector of Tuscaloosa County, Alabama, and to provide for his election.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|---------------------|
| Mr. Speaker | Doughty | Leonard | Sellers |
| Adams (Dale) | Duffee | McClendon | Shelton |
| Adams (Jefferson) | Dumas | McDonald | Shirley |
| Barnett | Dyar | McIlwain | Sightler |
| Beatty | Evans | Malone | Snodgrass |
| Benford | Faulk | Martin | Still |
| Bennett | Ganey | Mason | Taylor (Autauga) |
| Brannan | Garrett | Mathison | Taylor (Hale) |
| Brassell | George | Meeks | Thomas |
| Broadwater | Gibson | Merrill | Thompson (Crenshaw) |
| Buckner | Gillis | Miller | Thompson (Pike) |
| Busby | Hankins | Mitchell | Wallace |
| Bush | Harris | Molette | Ward |
| Callahan | Harrison | Nelson | Weaver |
| Coburn | Haynes (Lowndes) | O'Neal | Whitcomb |
| Cole | Head | Pinkston | White (Covington) |
| Cox | Howell | Ramey | White (Perry) |
| Davis | Inzer | Richardson | Wood (Bibb) |
| Denton | Johnston | Roberts | Wood (Washington) |
| Dobbs (Fayette) | Larkins | Rogers | |

—79

And the bill:

S. 160. To amend Section 613, Title 62, Code of Alabama of 1940, which relates to the election, qualifications, and compensation of a recorder or municipal judge for the City of Tuscaloosa.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|---------------------|
| Mr. Speaker | Dobbs (Fayette) | Johnston | Rogers |
| Adams (Dale) | Doughty | Knight | Shelton |
| Adams (Jefferson) | Duffee | Larkins | Shirley |
| Barnett | Dumas | Leonard | Sightler |
| Benford | Dyar | McClendon | Snodgrass |
| Bennett | Faulk | McDana | Still |
| Black | Ganey | McDonald | Taylor (Autauga) |
| Brannan | George | Malone | Thomas |
| Brassell | Gibson | Martin | Thompson (Crenshaw) |
| Broadwater | Gillis | Mason | Thompson (Pike) |
| Buckner | Givhan | Mathison | Wallace |
| Busby | Hankins | Merrill | Ward |
| Bush | Harris | Miller | Weaver |
| Callahan | Harrison | Mitchell | Whitcomb |
| Coburn | Haynes (Lowndes) | O'Neal | White (Covington) |
| Cole | Head | Pinkston | White (Perry) |
| Cox | Hornsby | Pinson | Wood (Bibb) |
| Davis | Howell | Ramey | Wood (Washington) |
| Denton | Ingalls | Richardson | |
| Dobbs (Elmore) | Inzer | Roberts | |

—78

And the bill:

H. 409. To fix the salaries of the Chief Clerk employed in the Office of the Probate Judge in all counties of the State of Alabama which now have, or which may hereafter have, a population

of not less than 75,000 and not more than 113,000 according to the last Federal census or any such Federal census which may be hereafter taken.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Leonard | Sellers |
| Adams (Dale) | Doughty | McClendon | Shelton |
| Adams (Jefferson) | Duffee | McDonald | Shirley |
| Barnett | Dumas | McIlwain | Sightler |
| Benford | Dyar | Malone | Snodgrass |
| Bennett | Faulk | Martin | Still |
| Brannan | Ganey | Mathison | Taylor (Autauga) |
| Brassell | George | Meeks | Taylor (Hale) |
| Broadwater | Gibson | Merrill | Thomas |
| Buckner | Givhan | Miller | Thomp- |
| Busby | Hankins | Mitchell | son (Crenshaw) |
| Bush | Harris | Molette | Thompson (Pike) |
| Callahan | Harrison | O'Neal | Wallace |
| Coburn | Haynes (Lowndes) | Pinkston | Ward |
| Cole | Head | Pinson | Weaver |
| Cox | Ingalls | Ramey | White (Covington) |
| Davis | Inzer | Richardson | White (Perry) |
| Denton | Johnston | Roberts | Wood (Bibb) |
| Dobbs (Elmore) | Larkins | Rogers | Wood (Washington) |

—75

RESOLUTIONS

The following resolutions were introduced:

By Mr. Snodgrass:

H.J.R. 27. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet on Friday, June 27, 1947, at 10 o'clock A.M.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 27 was adopted.

By Messrs. Johnston and Sullivan:

H.J.R. 28. WHEREAS, Alabama's future prosperity is dependent to a large degree upon uninterrupted industrial production in mines, fields and factories which utilize the State's available manpower at wages and salaries suitable for individual and family needs;

WHEREAS, full employment and continuing production in these industries cannot be guaranteed without further expansion of present markets for the products of our industry;

WHEREAS, the most logical field for trade expansion seemingly lies in the nations of Central and South American and the

islands adjacent thereto which nations now hold billions of dollars of credits;

WHEREAS, the port facilities at Mobile, including the State Docks, must be equipped to handle a vast increase in trade, with resultant gain for all of Alabama;

WHEREAS, Chambers of Commerce throughout Alabama, seeking new outlets for state-made products, have secured from the U. S. Maritime Commission, the Departments of State and Commerce and the Coast Guard, in Washington, their unqualified endorsement and support for a floating exhibit of Alabama's exportable products;

WHEREAS, the Maritime Commission has made available to the State of Alabama any ship suitable for this purpose and any and all equipment to outfit complete such a vessel;

WHEREAS, Latin American Embassies in Washington have not only indicated their approval of the Alabama plan but have pledged to develop exhibits of their own exportable supplies and goods that may be suitable for further development by Alabama industries at their home ports at the time of the Alabama visit; and

WHEREAS, the publicity resulting from such a venture could not be purchased for many millions of dollars;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the SENATE CONCURRING, that the Legislature of Alabama does endorse and commend to all citizens of Alabama the stated purposes and plans of the Alabama World Trade Committee under which the industries of the State will provide funds for a new SS Alabama to sail to the major ports of Latin America as an educational project to develop additional trade between the industries of Alabama and those nations;

AND BE IT FURTHER RESOLVED that we commend publicly the sponsors of this world trade educational cruise for their efforts in behalf of international goodwill, amity between the nations and subdivisions thereof on this Hemisphere, and their far-sighted program to assure to all of Alabama a greater prosperity and happiness for our people.

On motion of Mr. Johnston the rules were suspended and H.J.R. 28 was adopted.

BILL INDEFINITELY POSTPONED

On motion of Mr. Larkins the bill, H. 155, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

(With substitute):

H. 107. To amend Section 312 of Title 26 of the 1940 Code of Alabama as amended by Section 8 of Act No. 660 adopted by the Legislature of Alabama in Regular Session 1939.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

JUDICIARY COMMITTEE SUBSTITUTE FOR H. 107:

A BILL TO BE ENTITLED AN ACT

To amend Section 312 of Title 26 of the Code of Alabama of 1940 as amended by Section 8 of Act No. 660 of the regular session of the Legislature of 1939, approved July 10, 1940, and to repeal Section 311 of Title 26 of the Code of Alabama of 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 312 of Title 26 of the Code of Alabama of 1940, as amended by Section 8 of Act No. 660 of the regular session of the legislature of 1939, approved July 10, 1940, be and the same is hereby amended so as to read as follows:

"Section 312. Liability of party other than employer and procedure governing. Where the injury or death for which compensation is payable under Article 2 of this Chapter was caused under circumstances also creating a legal liability for damages on the part of any party other than the employer whether or not such party be subject to the provisions of Article 2 of this Chapter the employee, or his dependents in case of his death, may proceed against the employer to recover compensation under Article 2 of this Chapter, or may agree with the employer upon the compensation payable under Article 2 of this Chapter, and at the same time may bring an action against such other party to recover damages for such injury or death, and the amount of such damages shall be ascertained and determined without regard to Article 2 of this Chapter. If the injured employee, or in case of his death his dependents, recover damages against such other party the amount of such damages so recovered and collected shall be credited upon the liability of the employer for compensation, and if such damages so recovered and collected should be in excess of the compensation payable under Article 2 of this Chapter there shall be no further liability on the employer to pay compensation on account of such injury or death, and the employer shall be entitled to reimbursement for the amount of compensation theretofore paid on account of such injury or death. In the event the injured employee, or in case of his death, his dependents, do not file suit against such other party to recover damages within the time allowed by law, the employer or the insurance carrier for the employer shall be allowed an additional period of six months within which to bring suit against such other party for damages on account of such injury or death, in the event the employer or the insurance carrier shall have paid compensation to such employee,

or his dependents, or in the event a proceeding is pending against the employer to require the payment of such compensation, and such suit may be maintained either in the name of the injured employee, or in case of his death in the name of his dependents, or in the name of the employer or the insurance carrier, and in the event the damages recovered in such suit are in excess of the compensation payable by the employer under Article 2 of this Chapter and costs, attorneys fees and reasonable expenses incurred by the employer in making such collection, the excess of such amount shall be held in trust for the injured employee, or in case of his death for his dependents. In the event such injured employee has no dependents, his personal representative in the event of his death may bring suit against such other party to recover damages without regard to Article 2 of this Chapter.

Section 2. That Section 311 of Title 26 of the Code of Alabama of 1940 be and the same is hereby repealed.

Section 3. This Act shall be effective immediately upon its approval by the Governor, but shall not apply to any injury sustained by an employee prior to its approval.

And the substitute was adopted.

Yeas 86; Nays 1.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Leonard | Sellers |
| Adams (Dale) | Dobbs (Fayette) | McClendon | Shelton |
| Adams (Jefferson) | Duffee | McDanal | Shirley |
| Barnett | Dumas | McDonald | Sightler |
| Beatty | Dyar | McGowin | Snodgrass |
| Benford | Evans | McIlwain | Still |
| Bennett | Faulk | Martin | Stone |
| Black | Ganey | Mason | Sullivan |
| Brannan | Garrett | Mathison | Taylor (Autauga) |
| Brassell | George | Meeks | Taylor (Haie) |
| Broadwater | Gibson | Merrill | Thagard |
| Brown | Gillis | Miller | Thomas |
| Buckner | Hankins | Mitchell | Thompson |
| Busby | Harris | Molette | son (Crenshaw) |
| Bush | Harrison | O'Neal | Thompson (Pike) |
| Callahan | Haynes (Lowndes) | Pinkston | Wallace |
| Coburn | Head | Pinson | Ward |
| Cole | Howell | Ramey | Weaver |
| Cox | Inzer | Richardson | Whitcomb |
| Crocker | Johnston | Roberts | White (Covington) |
| Davis | Knight | Robinson | White (Perry) |
| Denton | Larkins | Rogers | |

—86

Nays: Mr. Kaul

—1

And said bill, H. 107, as amended by the substitute reported by the Standing Committee on Judiciary, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 4.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Knight | Rogers |
| Adams (Dale) | Duffee | Larkins | Sellers |
| Adams (Jefferson) | Dumas | Leonard | Shelton |
| Barnett | Dyar | McDonal | Sightler |
| Beatty | Evans | McDonald | Snodgrass |
| Benford | Faulk | McGowin | Stone |
| Bennett | Ganey | McIlwain | Sullivan |
| Brannan | Garrett | Martin | Taylor (Autauga) |
| Broadwater | George | Mason | Taylor (Hale) |
| Brown | Gibson | Mathison | Thagard |
| Buckner | Hankins | Mecks | Thomas |
| Busby | Harris | Merrill | Thomp- |
| Bush | Harrison | Miller | son (Crenshaw) |
| Callahan | Haynes (Franklin) | Mitchell | Thompson (Pike) |
| Coburn | Haynes (Lowndes) | Molette | Wallace |
| Cox | Head | Ramey | Ward |
| Crocker | Howell | Richardson | Weaver |
| Denton | Inzer | Roberts | Whitcomb |
| Dobbs (Elmore) | Johnston | Robinson | White (Covington) |

—75

Nays: Messrs. Black, Kaul, Sadler, and Vann.

—4

BILL INDEFINITELY POSTPONED

On motion of Mr. Johnston the bill, H. 105, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 129. To amend Section 11 and 12 of Title 28, of the 1940 Code of Alabama.

Was taken up.

Mr. McIlwain offered the following amendment to the bill,

H. 129:

Amend House Bill No. 129 by striking paragraph three of Section 2.

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

| | | | |
|-------------------|------------|-----------------|-------------------|
| Mr. Speaker | Broadwater | Dobbs (Elmore) | Gibson |
| Adams (Dale) | Brown | Dobbs (Fayette) | Gillis |
| Adams (Jefferson) | Buckner | Duffee | Givhan |
| Barnett | Busby | Dumas | Hankins |
| Beatty | Bush | Dyar | Harrison |
| Benford | Callahan | Evans | Haynes (Franklin) |
| Bennett | Coburn | Faulk | Haynes (Lowndes) |
| Black | Cox | Ganey | Head |
| Brannan | Crocker | Garrett | Howell |
| Brassell | Denton | George | Inzer |

| | | | |
|-----------|----------|------------------|-------------------|
| Johnston | Merrill | Sellers | Thomp- |
| Kaul | Miller | Shelton | son (Crenshaw) |
| Knight | Mitchell | Sightler | Thompson (Pike) |
| Leonard | Molette | Shirley | Vann |
| McClendon | Nelson | Snodgrass | Wallace |
| McDonald | Pinson | Stone | Ward |
| McIlwain | Ramey | Sullivan | Weaver |
| Martin | Roberts | Taylor (Autauga) | Whitcomb |
| Mason | Robinson | Taylor (Hale) | White (Covington) |
| Mathison | Rogers | Thagard | Wood (Bibb) |
| Meeks | Sadler | Thomas | Wood (Washington) |

—83

And said bill, H. 129, as amended, was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Leonard | Shelton |
| Adams (Dale) | Duffee | McDonald | Shirley |
| Adams (Jefferson) | Dumas | McIlwain | Sightler |
| Barnett | Dyar | Martin | Snodgrass |
| Beatty | Evans | Mason | Stone |
| Benford | Faulk | Mathison | Sullivan |
| Bennett | Ganey | Meeks | Taylor (Autauga) |
| Black | Garrett | Merrill | Taylor (Hale) |
| Brannan | George | Miller | Thagard |
| Brassell | Gibson | Mitchell | Thomas |
| Broadwater | Gillis | Molette | Thomp- |
| Brown | Hankins | Nelson | son (Crenshaw) |
| Buckner | Harris | Norman | Thompson (Pike) |
| Busby | Harrison | O'Neal | Vann |
| Bush | Haynes (Franklin) | Pinkston | Wallace |
| Callahan | Haynes (Lowndes) | Pinson | Ward |
| Coburn | Head | Ramey | Weaver |
| Cole | Howell | Roberts | Whitcomb |
| Cox | Inzer | Robinson | White (Covington) |
| Crocker | Johnston | Rogers | Wood (Bibb) |
| Denton | Kaul | Sellers | Wood (Washington) |
| Dobbs (Elmore) | Knight | | |

—85

And the bill:

H. 82. To amend Section 72 of Title 18, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|--------------|-----------------|---------|-------------------|
| Mr. Speaker | Bush | Dumas | Harris |
| Adams (Dale) | Callahan | Dyar | Haynes (Franklin) |
| Benford | Coburn | Evans | Head |
| Bennett | Cole | Faulk | Howell |
| Black | Cox | Garrett | Inzer |
| Brannan | Crocker | George | Johnston |
| Broadwater | Denton | Gibson | Kaul |
| Buckner | Dobbs (Fayette) | Gillis | Knight |
| Busby | Duffee | Hankins | Larkins |

| | | | |
|-----------|----------|------------------|-------------------|
| Leonard | Miller | Sadler | Thomp- |
| McClendon | Mitchell | Sellers | son (Crenshaw) |
| McDanal | Molette | Shirley | Thompson (Pike) |
| Shelton | Nelson | Still | Vann |
| McDonald | Pinkston | Stone | Wallace |
| McIlwain | Pinson | Sullivan | Ward |
| Martin | Ramey | Taylor (Autauga) | Weaver |
| Mason | Roberts | Taylor (Hale) | Whitcomb |
| Mathison | Robinson | Thagard | White (Covington) |
| Meeks | Rogers | Thomas | White (Perry) |
| Merrill | | | |

—76

And the bill:

H. 275. To Provide for the Survival of all Causes of Action Cognizable by a Court of Equity Including Those Upon Which a Suit Is Now Pending as well as Those Upon Which No Suit Has Been Filed.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Larkins | Shelton |
| Adams (Dale) | Dumas | Leonard | Shirley |
| Adams (Jefferson) | Dyar | McClendon | Sightler |
| Barnett | Evans | McDonald | Snodgrass |
| Benford | Faulk | McIlwain | Still |
| Bennett | Ganey | Martin | Stone |
| Brannan | Garrett | Mason | Sullivan |
| Brassell | George | Mathison | Taylor (Autauga) |
| Broadwater | Gibson | Meeks | Taylor (Hale) |
| Brown | Gillis | Merrill | Thagard |
| Buckner | Hankins | Miller | Thomas |
| Busby | Harris | Mitchell | Thomp- |
| Bush | Harrison | O'Neal | son (Crenshaw) |
| Callahan | Haynes (Franklin) | Pinkston | Thompson (Pike) |
| Coburn | Head | Pinson | Vann |
| Cole | Howell | Ramey | Wallace |
| Cox | Ingalls | Richardson | Weaver |
| Crocker | Inzer | Roberts | Whitcomb |
| Denton | Johnston | Robinson | White (Covington) |
| Dobbs (Elmore) | Kaul | Rogers | White (Perry) |
| Dobbs (Fayette) | Knight | Sellers | |

—82

And the bill:

H. 276. To Provide for the Survival of all Suits Pending in a Court of Equity; the Manner of the Substitution of the Personal Representative, Heir, or Successor of a Deceased Party Thereto; and that the Order of Substitution Shall Be Made by the Register or the Judge of Said Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Duffee | Knight | Shelton |
| Adams (Dale) | Dumas | Larkins | Shirley |
| Adams (Jefferson) | Dyar | Lovelace | Sightler |
| Barnett | Evans | McClendon | Snodgrass |
| Benford | Faulk | McDonald | Still |
| Bennett | Ganey | McIlwain | Stone |
| Brannan | Garrett | Martin | Sullivan |
| Brassell | George | Mason | Taylor (Autauga) |
| Broadwater | Gibson | Mathison | Taylor (Hale) |
| Buckner | Gillis | Merrill | Thagard |
| Busby | Hankins | Miller | Thomas |
| Bush | Harris | Mitchell | Thomp- |
| Callahan | Harrison | O'Neal | son (Crenshaw) |
| Coburn | Haynes (Lowndes) | Pinkston | Thompson (Pike) |
| Cole | Head | Pinson | Vann |
| Cox | Howell | Ramey | Wallace |
| Crocker | Ingalls | Roberts | Ward |
| Denton | Inzer | Robinson | Weaver |
| Dobbs (Elmore) | Johnston | Rogers | Whitcomb |
| Dobbs (Fayette) | Kaul | Sellers | White (Covington) |

—79

And the bill:

H. 255. To amend Act 116, approved June 16, 1945, entitled, "To empower veterans who are minors to make valid contracts and loans pursuant to an Act of Congress, entitled the 'Service-men's Readjustment Act of 1944'".

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|----------------|-------------------------|
| Mr. Speaker | Denton | Johnston | Rogers |
| Adams (Dale) | Dobbs (Elmore) | Kaul | Sellers |
| Adams (Jefferson) | Dobbs (Fayette) | Knight | Sightler |
| Beatty | Duffee | Larkins | Snodgrass |
| Benford | Dumas | McClendon | Sullivan |
| Bennett | Dyar | McDanal | Taylor (Autauga) |
| Black | Evans | McDonald | Taylor (Hale) |
| Brannan | Faulk | McIlwain | Thagard |
| Brassell | Ganey | Martin | Thomas |
| Broadwater | George | Mason | Thomp- |
| Buckner | Gibson | Meeks | son (Crenshaw) |
| Busby | Gillis | Merrill | Vann |
| Bush | Hankins | Miller | Wallace |
| Callahan | Harris | Mitchell | Ward |
| Coburn | Haynes (Lowndes) | Nelson | Weaver |
| Cole | Head | O'Neal | Whitcomb |
| Cox | Howell | Pinkston | White (Covington) |
| Crocker | Ingalls | Roberts | Wood (Bibb) |
| Davis | Inzer | Robinson | |

—74

And the bill:

S. 63. To amend Section 27 of Title 47 of the Code of Alabama 1940, as amended by an Act approved June 22, 1943.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|---------------------|
| Mr. Speaker | Dobbs (Fayette) | Kaul | Sadler |
| Adams (Dale) | Duffee | Larkins | Sellers |
| Adams (Jefferson) | Dumas | Leonard | Shelton |
| Barnett | Dyar | McClendon | Shirley |
| Beatty | Evans | McDanal | Sightler |
| Benford | Faulk | McDonald | Snodgrass |
| Bennett | Ganey | McIlwain | Stone |
| Black | Garrett | Martin | Sullivan |
| Brannan | George | Mason | Taylor (Autauga) |
| Brassell | Gibson | Meeks | Taylor (Hale) |
| Broadwater | Gillis | Merrill | Thagard |
| Buckner | Givhan | Miller | Thomas |
| Busby | Hankins | Mitchell | Thompson (Crenshaw) |
| Bush | Harris | Nelson | Vann |
| Callahan | Harrison | Norman | Wallace |
| Cobb | Haynes (Lowndes) | O'Neal | Ward |
| Coburn | Head | Pinkston | Weaver |
| Cole | Howell | Pinson | Whitcomb |
| Cox | Ingalls | Roberts | White (Perry) |
| Crocker | Inzer | Robinson | Wood (Bibb) |
| Denton | Johnston | Rogers | |
| Dobbs (Elmore) | | | |

—84

RESOLUTION

The following resolution was introduced:

By Mr. Pinson:

H.J.R. 29. Authorizing and directing the Clerk of the House of Representatives and the Secretary of the Senate to negotiate for, acquire, and supervise the installation of air conditioning on the third floor of the State capitol building.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. The Clerk of the House of Representatives and the Secretary of the Senate are authorized and directed to negotiate for, acquire, and supervise the installation of air conditioning on the third floor of the State capitol building.

2. Payment for the acquisition and installation of such air conditioning system or systems shall be made from funds appropriated for payment of expenses of the present session of the Legislature.

And the H.J.R. 29 was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 186. Relating to civil remedies and procedure; providing for examination of parties by interrogatories in civil suits to which the State is a party.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 3.

Yeas:

| | | | |
|-------------------|------------------|----------|---------------------|
| Mr. Speaker | Dobbs (Elmore) | Inzer | Sadler |
| Adams (Dale) | Dumas | Johnston | Shelton |
| Adams (Jefferson) | Dyar | Larkins | Sightler |
| Benford | Evans | Leonard | Snodgrass |
| Bennett | Faulk | Lovelace | Sullivan |
| Black | Ganey | McDanal | Taylor (Autauga) |
| Brannan | Garrett | McDonald | Taylor (Hale) |
| Brassell | George | McIlwain | Thagard |
| Broadwater | Gibson | Martin | Thomas |
| Buckner | Gillis | Mason | Thompson (Crenshaw) |
| Busby | Givhan | Merrill | Vann |
| Bush | Hankins | Miller | Wallace |
| Cobb | Harris | Mitchell | Ward |
| Coburn | Harrison | Nelson | Weaver |
| Cole | Haynes (Lowndes) | Roberts | White (Covington) |
| Cox | Head | Robinson | White (Perry) |
| Denton | Howell | Rogers | |

—67

Nays: Messrs. Barnett, Shirley and Stone.

—3

BILLS POSTPONED

On motion of Mr. Johnston the bill, H. 158, was postponed until the 15th Legislative Day.

On motion of Mr. Stone the bill, H. 211, was postponed until the 11th Legislative Day.

BILLS ON THIRD READING RESUMED

(With substitute):

H. 233. To amend Section 499, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

SUBSTITUTE FOR HOUSE BILL 233 by Ways and Means Committee.

A BILL TO BE ENTITLED AN ACT

To amend Section 499, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 499, Title 51, Article 1, Chapter 20, Code of Alabama 1940, be amended so as to read as follows:

Section 499. COTTON SEED OIL MILLS, COTTON MILLS, FACTORIES, ETC.—Every person operating a cotton seed oil mill, cotton mill, cloth mill, towel factory, garment factory, yarn mill, hosiery mill, peanut mill, peanut oil mill, peanut shelling plant, paper mill, pulp mill, mill manufacturing sheeting, rugs, bags, hats, cement, carpets, lime, plaster, soap, chemical, acid (other than fertilizer) explosive and all mills manufacturing any finished or semi-finished products of tobacco, thread, yarn, cloth, fur, felt, nylon, paper, jute, rubber, iron, iron ore, copper, brass, tin, coal, coke, sand, cement, glass, clay, slag, aluminum, bauxite, ore, grain, other than what is commonly called a grist mill, oats, corn, rye, synthetic rubber, stone, oil, crude oil, tar, resin, asphalt, paraffin, plastics, fibers, straw, cellulose, or other factory where materials are woven, made or assembled; Ten dollars where the investment for plant, equipment, supplies and fixtures is less than fifteen thousand dollars; twenty dollars where the investment for plant, equipment, supplies and fixtures is fifteen thousand dollars and less than twenty-five thousand dollars; thirty dollars where the investment for plant, equipment, supplies and fixtures is twenty-five thousand dollars and less than fifty thousand dollars; fifty dollars where the investment for plant, equipment, supplies and fixtures is fifty thousand dollars and less than one hundred thousand dollars; one hundred dollars where the investment for plant, equipment, supplies and fixtures is one hundred thousand dollars and less than five hundred thousand dollars; one hundred and fifty dollars where the investment for plant, equipment, supplies and fixtures is five hundred thousand dollars and less than one million dollars; two hundred dollars where the investment for plant, equipment, supplies and fixtures is one million dollars and over. Provided that such investment shall be the total capital employed in such plant and the person applying for such license shall furnish a sworn statement showing the amount of the investment and accompany the same with a statement taken from the books of the company, showing the amount of such investment and such books shall at all times be subject to the inspection of the department of revenue or its agents. Provided further that the licenses levied under this section shall not apply where the factory, mill or plant which would be licensed by this section is covered by a specific license under this article.

Section 2. That this Act shall become effective October 1, 1947.

And the substitute was adopted.

Yeas 82; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | Larkins | Rogers |
| Adams (Dale) | Dyar | Leonard | Sadler |
| Adams (Jefferson) | Evans | Lovelace | Sellers |
| Barnett | Faulk | McClendon | Shelton |
| Beatty | Ganey | McDonald | Sightler |
| Benford | Garrett | McGowin | Snodgrass |
| Bennett | George | Malone | Still |
| Brannan | Gibson | Martin | Taylor (Autauga) |
| Brassell | Gillis | Mason | Taylor (Hale) |
| Broadwater | Givhan | Mathison | Thagard |
| Buckner | Hankins | Merrill | Thomas |
| Busby | Harris | Miller | Thomp- |
| Bush | Harrison | Mitchell | son (Crenshaw) |
| Callahan | Haynes (Franklin) | Molette | Wallace |
| Coburn | Haynes (Lowndes) | Nelson | Ward |
| Cole | Head | O'Neal | Weaver |
| Cox | Howell | Pinkston | Whitcomb |
| Crocker | Ingalls | Ramey | White (Covington) |
| Denton | Inzer | Richardson | White (Perry) |
| Dobbs (Fayette) | Johnston | Roberts | Wood (Bibb) |
| Duffee | Knight | Robinson | |

—82

Nays: Mr. Vann.

—1

And the bill, H. 233, as amended by the substitute reported by the Standing Committee on Ways and Means, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 2.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | McClendon | Sellers |
| Adams (Dale) | Dyar | McDonald | Shelton |
| Adams (Jefferson) | Faulk | McGowin | Shirley |
| Barnett | Ganey | Martin | Sightler |
| Beatty | George | Mason | Snodgrass |
| Benford | Gibson | Mathison | Sullivan |
| Bennett | Gillis | Meeks | Taylor (Autauga) |
| Brannan | Givhan | Merrill | Thagard |
| Brassell | Hankins | Miller | Thomas |
| Broadwater | Harris | Mitchell | Thomp- |
| Buckner | Harrison | Molette | son (Crenshaw) |
| Busby | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Bush | Haynes (Lowndes) | O'Neal | Vann |
| Callahan | Head | Pinkston | Wallace |
| Coburn | Howell | Ramey | Ward |
| Cole | Ingalls | Richardson | Weaver |
| Cox | Inzer | Roberts | Whitcomb |
| Crocker | Johnston | Robinson | White (Covington) |
| Denton | Knight | Rogers | White (Perry) |
| Dobbs (Fayette) | Larkins | Sadler | Wood (Bibb) |
| Duffee | | | |

—80

Nays: Messrs. Kaul and Taylor (Hale)

—2

And the bill:

(With substitute):

H. 231. To amend Section 543, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

SUBSTITUTE FOR HB 231 BY WAYS AND MEANS
COMMITTEE

A BILL TO BE ENTITLED AN ACT

To amend Section 543, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 543, Title 51, Article 1, Chapter 20, Code of Alabama 1940, be amended so as to read as follows:

Section 543. LAUNDRIES.—For each laundry where the work is actually performed other than those run by hand power: In cities and towns of thirty-five thousand inhabitants and over, sixty dollars; in cities and towns of less than thirty-five thousand and not less than fifteen thousand inhabitants, thirty dollars; in cities and towns of less than fifteen thousand and not less than five thousand inhabitants, fifteen dollars; in all other places whether incorporated or not, ten dollars. For each laundry operated by hand power, ten dollars, provided that no license shall be required of persons commonly designated "wash-woman". Provided further, that hotels which operate laundries for their own guests shall pay a license of one-fourth of the foregoing enumerated amounts. Provided further that each laundry licensed under this section which does business in more than one county shall pay a county license of ten dollars in each such additional county. Provided further that a person not having a place of business within the State of Alabama where such work is actually performed shall pay a license of twenty-five dollars for the reception or collection of laundry. Provided further that a person maintaining an establishment at which more than one machine is rented for the purpose of laundering clothes shall pay a license as follows: In cities and towns of thirty-five thousand inhabitants and over, thirty dollars; in cities and towns of less than thirty-five thousand and not less than fifteen thousand inhabitants, fifteen dollars; in cities and towns of less than fifteen thousand and not less than five thousand inhabitants, seven dollars and fifty cents; in all other places whether incorporated or not, five dollars.

Section 2. That this Act shall become effective October 1, 1947.

And the substitute was adopted.

Yeas 65; Nays 14.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Crocker | Knight | Rogers |
| Adams (Dale) | Denton | Larkins | Sellers |
| Adams (Jefferson) | Dobbs (Fayette) | Leonard | Shelton |
| Barnett | Dyar | Lovelace | Sightler |
| Beatty | Faulk | McDonald | Snodgrass |
| Bennett | George | McGowin | Stone |
| Brannan | Gibson | Malone | Sullivan |
| Brasseil | Hankins | Martin | Taylor (Autauga) |
| Brown | Harrison | Mason | Taylor (Hale) |
| Buckner | Haynes (Franklin) | Meeks | Thagard |
| Busby | Haynes (Lowndes) | Merrill | Thomas |
| Bush | Howell | Mitchell | Wallace |
| Callahan | Ingalls | Nelson | Weaver |
| Cobb | Inzer | O'Neal | Whitcomb |
| Coburn | Johnston | Pinson | White (Covington) |
| Cole | Kaul | Ramey | White (Perry) |
| Cox | | | |

—65

Nays:

| | | | |
|----------------|----------|------------|----------------|
| Messrs.: | Gillis | Molette | Shirley |
| Benford | Givhan | Richardson | Thompson |
| Dobbs (Elmore) | Mathison | Roberts | son (Crenshaw) |
| Dumas | Miller | Sadler | Vann |

—14

And said bill, H. 231, as amended by the substitute reported by the Standing Committee on Ways and Means, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 27.

Yeas:

| | | | |
|--------------|-------------------|----------|-------------------|
| Mr. Speaker | Cole | Inzer | Ramey |
| Adams (Dale) | Cox | Kaul | Rogers |
| Barnett | Crocker | Larkins | Sellers |
| Beatty | Denton | Leonard | Shelton |
| Benford | Dobbs (Fayette) | McDonald | Sightler |
| Bennett | Dyar | McGowin | Snodgrass |
| Brannan | Faulk | Malone | Taylor (Autauga) |
| Brassell | George | Martin | Thagard |
| Brown | Gibson | Mason | Thomas |
| Buckner | Hankins | Merrill | Wallace |
| Busby | Harrison | Nelson | Weaver |
| Bush | Haynes (Franklin) | O'Neal | Whitcomb |
| Callahan | Haynes (Lowndes) | Pinkston | White (Covington) |
| Cobb | Howell | Pinson | White (Perry) |
| Coburn | Ingalls | | |

—58

| | | | |
|----------------|----------|------------|---------------------|
| <i>Nays:</i> | | | |
| Messrs.: | Gillis | Miller | Sullivan |
| Davis | Givhan | Mitchell | Taylor (Hale) |
| Dobbs (Elmore) | Hornsby | Richardson | Thompson (Crenshaw) |
| Dumas | Johnston | Roberts | |
| Evans | Knight | Sadler | Vann |
| Frasier | Mathison | Shirley | Wood (Bibb) |
| Ganey | Meeks | Stone | Wood (Washington) |
| Garrett | | | —27 |

And the bill:

H. 308. To authorize and empower water works boards now or hereafter existing under the provisions of Alabama Code of 1940, Title 37, sections 394 to 402, to have and exercise the same powers, functions, and duties, rights and privileges with respect to gas plants and systems as they now have with respect to water works plants and systems; to authorize the issuance of revenue bonds to finance such gas plants and systems; to authorize municipal corporations to transfer and convey municipally owned gas plants and systems to such water works boards; and to authorize such water works boards to combine any water works plant and system owned by it with a gas plant and system owned by it.

Was taken up.

Mr. Martin offered the following substitute for the bill, H. 308:

A SUBSTITUTE BY MR. MARTIN FOR HOUSE BILL 308

A BILL TO BE ENTITLED AN ACT

TO authorize and empower water works boards now or hereafter existing under the provisions of Alabama Code of 1940, Title 37, sections 394 to 402, to have and exercise the same powers, functions, and duties, rights and privileges with respect to gas plants and systems as they now have with respect to water works plants and systems; to authorize water works boards to acquire by purchase, construction or condemnation gas plants and systems; to authorize the issuance of revenue bonds to finance such gas plants and systems; to authorize municipal corporations to transfer and convey municipally owned gas plants and systems to such water works boards; and to authorize such water works boards to combine any water works plant and system owned by it with a gas plant and system owned by it; to prescribe the conditions under which such water works boards may engage in the business of furnishing gas for industrial, domestic, or other consumption in a territory in which there is in existence at the time a plant or distribution system, or any part thereof furnishing such service; and to provide a method by which such water works boards may acquire such existing facilities at a price to be agreed upon by the parties or fixed by the Alabama public service commission; to provide for a hearing of such matters by the commission; and to provide for appeals from orders, judgments and decrees entered therein; and to authorize the change in name of any water works board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any water works board now existing, in process of organization or incorporation, or hereafter created or incorporated, under the provisions of the Alabama Code of 1940, Title 37, sections

394 to 402, shall, in addition to the powers, functions and duties, rights and privileges now granted to or conferred upon such boards by law, have the same powers, functions, and duties, rights and privileges with respect to the acquisition and operation and maintenance of a plant and system for the manufacture and distribution of gas or a system for the purchase and distribution of manufactured or natural gas, the borrowing of money therefor and the issuance of revenue bonds to finance the cost of constructing, extending, improving or completing such gas plants and systems, as such water works boards now have or may hereafter have with respect to water works plants and systems. Such board shall have such powers, functions, duties, rights and privileges with respect to gas plants and systems, whether it owns or operates a water works plant or system or not.

Section 2. Without limiting the powers provided for in Section 1 of this Act, such water works board shall have the power to acquire by purchase, construction, condemnation, or any combination thereof, a plant and system, for the manufacture and distribution of gas, and/or a system for the purchase and distribution of manufactured or natural gas, and shall also have the power to receive, acquire, take and hold, whether by purchase, sale, gift, lease, devise or otherwise, all such real, personal and mixed property of any nature whatsoever as it may deem necessary or convenient for the purchase, construction, operation, maintenance, enlargement, extension and improvement of a gas plant and system, for the manufacture of gas and the distribution thereof or the purchase and distribution of manufactured or natural gas, whether or not the same shall be in existence and whether or not the same shall be publicly or privately owned, and to operate, maintain, enlarge, extend, and improve the same and to do all acts necessary to that end; also the power to borrow money and to issue revenue bonds as evidence of any money so borrowed, which bonds shall be payable solely from the revenues derived from the operation of such gas plant and system. As security for any money so borrowed, together with interest thereon and any obligations incurred or assumed, to mortgage, pledge or otherwise transfer and convey its real, personal and mixed property, or any part or parts thereof, whether then owned or thereafter acquired, including its franchises owned and thereafter acquired and all or any part of the revenues derived from such plant or systems or any part thereof. The instrument whereunder such mortgage or pledge shall be made may contain such agreements as the board of directors of such corporation shall deem advisable respecting the operation and maintenance of such property and respecting the rights and duties of the parties to such instrument or for the benefit of whom such instrument is made; provided, that no such mortgage or pledge shall be construed so as to permit the foreclosure thereof. Any such water works board shall also have the power to contract for the sale

of and to sell its gas supply or any part thereof to any person, firm or corporation, and to any such city or town for distribution to the inhabitants thereof and the surrounding territory.

Section 3. In addition and for the further security of the lender, any such water works board, which has borrowed money under the authority of this Act, may enter into a contract or contracts with the lender binding itself for the proper application of money borrowed from such lender, and for the operation and maintenance of any such gas plant and system, or any one or more of them, or any part or parts thereof, and for the imposition, collection, safeguarding, and application, disposition and remittance of reasonable rates for gas supply and service, and for the promulgation of reasonable regulations, relating to rates and services, and for any other act, series of acts, duty or thing, not inconsistent with the provisions of this Act and the law relating to such corporation for the protection of the loan and the assurance of a reasonable return upon the properties in which such loan is invested, out of which operating expenses and the principal and interest of such loan may be met.

Section 4. Any such corporation which borrows money under the authority of this Act may evidence the loan by revenue bonds in such form and of such tenor and maturities as may be agreed upon between the lender and the corporation. Any such bonds so issued may thereafter from time to time be refunded by the issuance by sale or exchange of refunding bonds at such times and in such form and of such tenor and maturities as may be agreed on by the corporation and the holders of the bonds so refunded if such refunding is by exchange, and as may be determined by the corporation if such refunding is by sale of refunding bonds. Such corporation may restrict the source of payment of such bonds and the security given therefor to whatever extent the board of directors thereof shall deem advisable, but no such bonds shall purport to be effective to impose on the corporation, or its funds or property, any liability in excess of or inconsistent with the liability authorized to be incurred or assumed by this article. Such borrowing may be evidenced by sale of such bonds either at private or public sale in such manner and from time to time as may be determined by the board of directors of such corporation to be most advantageous, and the corporation may pay all expenses, premiums and commissions which its board of directors may deem necessary and advantageous in connection with any such financing. All such bonds shall be regarded as negotiable instruments. All such bonds and all instruments executed as security therefor shall be exempt from all taxation under the laws of the State of Alabama. No such city or town shall in any event be liable for any money so borrowed or any debt created by such corporation, nor shall the same be construed to be an indebtedness of or against such city or town. When any such corporation shall have borrowed money as afore-

said, it shall charge, collect and account for sufficient revenues from the operation of the plant and system to repay the money borrowed with interest thereon as the same shall mature and to pay all operating and maintenance expenses of such plant and system, and each year any income of the corporation in excess of operating and maintenance expenses and the amount required to be applied on any money so borrowed and the interest thereon shall be held or disbursed as may be provided in the proceedings pursuant to which such loan shall have been procured. When the cost of construction of, or purchase, or other acquisition, and all indebtedness otherwise incurred against such gas plant and system shall have been fully paid, then such gas plant and system, together with all rights of way, pipe lines, improvements and appurtenances thereto, and all other property, whether tangible or intangible, including franchises owned by said corporation, shall thereupon become the property of such city or town and all rights of said corporation in and to the same shall thereupon immediately vest in such city or town, whereupon said corporation shall be automatically dissolved.

Section 5. Except as otherwise provided in this Act, neither this act nor anything herein contained shall be construed as a restriction or limitation upon any power, right or remedy, which any corporation, now in existence, or hereafter formed, may have in an absence thereof, but shall be construed as cumulative and independent of any such power, right or remedy. No proceedings, notice or approval shall be required for the acquisition of any property or the making of any loans or issuance of instruments in evidence thereof or as security therefor, except as herein prescribed, any other law to the contrary notwithstanding. Any corporation organized under the provisions of this article shall be exempt from all jurisdiction of and regulation by the public service commission.

Section 6. Every city or incorporated town now or hereafter owning and operating a municipal gas plant or distribution system, and in which municipality a water works board is now or hereafter incorporated under the provisions of the Alabama Code of 1940, Title 37, sections 394 to 402, inclusive, is hereby authorized to transfer and convey such gas plant or system, or both, to such water works board, pursuant to the provisions of an ordinance theretofore duly enacted by the governing body of such city or incorporated town and without the necessity of authorization at an election of the qualified voters thereof; provided that, if at the time of such transfer the city or incorporated town has outstanding any bonds or other obligations payable from or secured by the revenues or earnings of such gas plant or system, it shall be incumbent upon the water works board of such city or incorporated town to pay the amount thereof to such city or town at the time of such transfer or thereafter, as such bonds or other obligations and interest thereon become due. The governing authority of such city or incorporated town is hereby authorized to enter into any

agreements with such water works board as it deems necessary in order to effectuate such transfer, and in the instruments of transfer may impose any conditions or stipulations deemed advisable for the subsequent control, management, operation, extension and improvement of the gas plant or system by the water works board. Nothing herein shall be construed to authorize any water works board to which a municipal gas plant or system is transferred to thereafter sell or transfer such gas plant or system so as to vest title thereto in private ownership and control, except that title thereto may be subjected to a mortgage or deed of trust as security for the repayment of any loan made or money borrowed by such water works board.

Section 7. Whenever any such water works board proposes to engage in the business of operating a plant or system for the manufacture of gas and the distribution thereof, or the purchase and distribution of manufactured or natural gas, and at the time such water works board proposes to engage in such business there is then in existence within the territory in which it is proposed to furnish manufactured or natural gas service, a plant or distribution system, either or both, or any part or parts thereof, furnishing the service so proposed to be furnished by such water works board, then such water works board, as a condition precedent to the exercise of such authority shall notify the owner of such plant or system by registered mail of its intention to engage in such business and of its willingness to acquire on such terms and conditions as may be agreed upon so much of such plant and system as shall be located in the territory in which such water works board proposes to furnish such service and as shall be necessary and convenient therefor.

Section 8. If within thirty days after receipt of such notice the owner shall propose voluntarily to sell and transfer such property to the water works board upon terms and conditions to be mutually agreed upon between the owner and the water works board and approved by the Alabama Public Service Commission, and serve a copy of such proposal upon the water works board and upon the commission, the commission shall fix a time and place to hear and consider such proposal and notify all parties interested therein. If the terms and conditions of purchase and sale shall be agreed upon by and between the owner and the water works board and approved by the commission, the commission shall announce its approval thereof by appropriate order and the water works board shall by resolution authorize and direct the execution on the part of the water works board of such contract in writing and other instrument and take any and every other action with reference thereto necessary or appropriate to consummate such purchase and sale and the transfer to the water works board of possession of such acquired property and payment therefor in accordance with the terms of such agreement. If the owner fails or refuses to advise such water works board within thirty days after receipt of such

notice of its purpose to sell such property then the water works board may proceed as provided by law to construct, condemn, or otherwise acquire a plant or system within the designated territory; and the advice to be given by the owner to such water works board shall be sufficient if it advises that the owner is willing to sell the property provided the valuation as finally determined by the commission or courts is satisfactory to the owner. Upon the owner advising of its willingness to sell such property, acquisition of the property sought to be acquired shall proceed with the rights and privileges to the respective parties as hereinafter set forth.

Section 9. If acquisition of the property sought to be acquired by the water works board is not consummated under the provisions of the two preceding sections, the water works board before proceeding to engage in the proposed business shall take such steps as may be hereinafter provided. If the water works board and the owner fail within sixty days after written notice to the owner as herein provided to consummate the proposed acquisition, either the water works board or the owner may apply to the commission within fifteen days after the expiration of such sixty days for a determination as to what property ought in the public interest to be included in the purchase and what price ought to be paid, having in view the cost of the property less a reasonable allowance for depreciation and obsolescence, and any other element which may enter into a determination of the fair value of the property to be purchased; but such price shall be determined without enhancement on account of future earning capacity or good will, or of exclusive privileges derived from rights in the public streets or roads. Thereupon, the commission, after notice to all interested parties, shall hold a hearing thereon and make the determination aforesaid. Such purchase shall include such portion of the property of the owner within the limits of the territory in which the water works board proposes to furnish such gas service, as is suitable for and used in connection with the manufacture or distribution of gas within the territory which the water works board proposes to serve. The price shall include damages, if any, which the commission finds would be caused by the severance of the property proposed to be included in the purchase from other property of the owner. Such severance damages shall be separately found by the commission, and shall not exceed fifteen percent of the amount, exclusive of such damages, fixed by the commission to be paid to the owner. If any such property is subject to any mortgages, liens or other incumbrances, the commission in making its determination shall provide for the deduction or withholding from the purchase price, pending discharge, of such sum or sums as it deems proper. The determination herein provided shall be made by order and such order shall be deemed a final order of the commission. The commission may impose in its order reasonable conditions relating to the terms and conditions of the proposed acquisition and shall state in its order the findings of fact and conclusions of law

upon which its determination and the conditions attached thereto are based.

Section 10. Any party shall have the right to appeal from the order of the commission, such appeal to be governed by existing provisions of law relating to appeals from final orders of the commission except that such appeal shall be taken to the circuit court of the judicial circuit containing the greater portion, by value, of the property to be acquired and such appeal shall be taken within ten days from the filing of the order of the commission. The order of the commission shall specify the judicial circuit in which the greater portion of the property, by value, is located and such specification shall be conclusive for fixing the venue of an appeal. On any such appeal, if the court shall determine that any condition imposed by the order of the commission is unreasonable or that the commission has erred in determining the just compensation to be paid, the court shall proceed to render the judgment the commission should have rendered. Any action brought under the provisions of this subdivision shall have a preferred status before the commission and in the courts as to trial and disposition thereof.

Section 11. The owner shall have thirty days after a final determination by the commission or the courts to notify the water works board of its acceptance of such determination and **shall have** a further period of thirty days to tender a good and sufficient deed of conveyance to the water works board of the property required by the order of the commission or the court to be purchased by placing such deed in escrow with the commission or the court, as the case may be, and to comply with all other terms and conditions of the order or decree. The water works board shall have sixty days from the date of the deposit of the deed in escrow to accept or reject such deed and if it accepts, the water works board shall have a further period of sixty days to pay to the owner the price determined as herein provided and to comply with all other terms and conditions of the order or decree. For good cause shown the commission or the court may extend any period of time fixed in this section, such extension or extensions not to exceed a total of sixty days. If the owner fails to notify the water works board of his acceptance and make tender of a deed as herein provided within the time so fixed or extended, or to comply with all other terms and conditions of the order or decree, the water works board may proceed as provided by law to construct or otherwise acquire a plant or system within the territory where the property of such owner or any part thereof is located. If the water works board shall reject the tender herein provided for or shall fail to pay the purchase price of the property determined as herein provided or to comply with all other terms and conditions of the order or decree the water works board shall not engage in the business of operating a plant or system for the manufacture or distribution of gas in the territory where the property involved is located until it shall again be authorized as provided by this subdivision and the

general law relating thereto to engage in such business, and such water works board shall not again institute proceedings under this subdivision sooner than two years from the date of such rejection or the expiration of the time for the payment of such purchase price, as the case may be.

Section 12. Any such water works board may, if it so elects, combine any water works plant and system owned by it with any gas plant and system owned by it and provide for the operation, maintenance and repair thereof as one combined and consolidated plant and system, the keeping of books and records for one combined plant and system, and the borrowing of money for any purpose authorized by law and the issuance of revenue bonds payable from the revenues of both the water works and the gas plants and systems; or such water works board may keep and operate such water works plant and system separate from its gas plant and system.

Section 13. In the event any such water works board shall hereafter acquire any gas plant or system pursuant to the provisions of this Act, the name of such water works board may thereupon or thereafter be changed to "The Water Works and Gas Board of the _____ of _____" (the name of the applicable municipality together with its designation as a city or town to be filled in the blank spaces). Such change in name may be affected upon the adoption of a resolution by the board of directors of such board declaring it advisable that the name be so changed and the certificate of incorporation be amended to that effect and the filing of a copy of such resolution, certified to by the secretary of the said board, with the Judge of Probate of the county in which the certificate of incorporation of the said board was filed for record.

Section 14. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 76; Nays 0.

Yeas:

| | | | |
|--------------|------------------|----------|------------|
| Mr. Speaker | Cox | Howell | Mitchell |
| Adams (Dale) | Crocker | Ingalls | Molette |
| Barnett | Denton | Inzer | Nelson |
| Benford | Dobbs (Elmore) | Johnston | O'Neal |
| Bennett | Dobbs (Fayette) | Knight | Pinson |
| Brannan | Duffee | Larkins | Ramey |
| Brassell | Evans | Lovelace | Richardson |
| Broadwater | Ganey | McDonald | Roberts |
| Brown | Garrett | McIlwain | Robinson |
| Buckner | George | Malone | Sadler |
| Busby | Gibson | Martin | Sellers |
| Bush | Gillis | Mason | Shelton |
| Callahan | Givhan | Mathison | Shirley |
| Cobb | Harris | Meeks | Sightler |
| Coburn | Haynes (Lowndes) | Merrill | Snodgrass |
| Cole | Head | Miller | Stone |

| | | | |
|------------------|---------------------|----------|-------------------|
| Taylor (Autauga) | Thompson (Crenshaw) | Ward | White (Covington) |
| Taylor (Hale) | Thompson (Pike) | Weaver | White (Perry) |
| Thomas | Wallace | Whitcomb | Wood (Bibb) |

—76

And said bill, H. 308, as amended by the substitute offered by Mr. Martin, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|-----------------|------------------|------------|-------------------|
| Mr. Speaker | Duffee | McIlwain | Shirley |
| Adams (Dale) | Evans | Malone | Sightler |
| Barnett | Ganey | Martin | Snodgrass |
| Benford | Garrett | Mason | Stone |
| Bennett | George | Meeks | Sullivan |
| Brannan | Gibson | Merrill | Taylor (Autauga) |
| Brassell | Gillis | Miller | Taylor (Hale) |
| Broadwater | Givhan | Mitchell | Thagard |
| Brown | Hankins | Molette | Thomas |
| Buckner | Harris | Nelson | Thomp- |
| Busby | Haynes (Lowndes) | O'Neal | son (Crenshaw) |
| Bush | Head | Pinson | Thompson (Pike) |
| Callahan | Howell | Ramey | Wallace |
| Coburn | Ingalls | Richardson | Ward |
| Cole | Inzer | Roberts | Weaver |
| Cox | Johnston | Robinson | Whitcomb |
| Crocker | Larkins | Sadler | White (Covington) |
| Denton | Leonard | Sellers | White (Perry) |
| Dobbs (Elmore) | Lovelace | Shelton | Wood (Bibb) |
| Dobbs (Fayette) | McDonald | | |

—77

RECESS

On motion of Mr. Busby, the House recessed until two o'clock this afternoon.

AFTERNOON SESSION

The hour of 2 o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 25. Relative to accepting invitation extended to Legislature to visit Idle Hour Park, Phenix City, Alabama on July 4th, 1947.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 27. Relative to the adjournment of the two Houses until Friday, June 27, 1947, at 10 o'clock A.M.

J. E. Speight,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Rules Committee begs leave to report that said Committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

By Mr. McIlwain:

H. 129. To amend Section 11 and 12 of Title 28, of the 1940 Code of Alabama.

W. M. Beck,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

BILLS POSTPONED

On motion of Mr. Taylor (Autauga), the bill H. 241, was postponed until the 11th Legislative Day.

On motion of Mr. Johnston the bill, H. 77, was postponed until the 15th Legislative Day.

BILLS ON THIRD READING RESUMED

H. 74. To amend Section 175 of Title 55, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|------------|-----------------|--------|
| Mr. Speaker | Broadwater | Coie | Duffee |
| Adams (Dale) | Brown | Cox | Dumas |
| Adams (Jefferson) | Buckner | Crocker | Dyar |
| Benford | Busby | Davis | Faulk |
| Bennett | Bush | Denton | Ganey |
| Brannan | Callahan | Dobbs (Elmore) | George |
| Brassell | Coburn | Dobbs (Fayette) | Gibson |

| | | | |
|-------------------|-----------|------------|-------------------|
| Gillis | Johnston | Mathison | Sellers |
| Givhan | Kaul | Merrill | Shelton |
| Hankins | Knight | Miller | Shirley |
| Harris | Leonard | Mitchell | Still |
| Harrison | Lovelace | Molette | Sullivan |
| Haynes (Franklin) | McClendon | Nelson | Taylor (Autauga) |
| Haynes (Lowndes) | McDonald | Norman | Taylor (Hale) |
| Head | McGowin | O'Neal | Ward |
| Hornsby | McIlwain | Richardson | Weaver |
| Howell | Malone | Robinson | Whitcomb |
| Ingalls | Martin | Rogers | White (Covington) |
| Inzer | Mason | Sadler | White (Perry) |

—76

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 226. To make appropriation of Three Hundred Thousand Dollars (\$300,000.00), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House joint resolution and returns same herewith to the House:

H.J.R. 28. Relative to purposes and plans of the Alabama World Trade Committee under which the industries of the State will provide funds for a new SS Alabama to sail to the major ports of Latin America as an educational project to develop additional trade between the industries of Alabama and Central and South America and the islands adjacent thereto.

J. E. Speight,
Secretary.

BILLS ON THIRD READING RESUMED

(With amendment):

H. 168. To authorize and empower and require the County Boards of Education of the several counties of the State of Alabama to pay the costs and expenses of the biennial school census of said counties.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Government, said Committee amendment being as follows:

Local Government Committee.

AMENDMENTS TO H. 168

Amend H.B. No. 168 by striking from the caption the words "and require".

Also, amend by striking the words "and require" from Section 1.

The motion of Mr. Miller to indefinitely postpone the bill, H. 168 and pending amendment was lost.

Yeas 41; Nays 52.

Yeas:

| | | | |
|------------|-------------------|------------|---------------------|
| Messrs.: | Ganey | McDanal | Sellers |
| Barnett | Garrett | Meeks | Sightler |
| Benford | George | Miller | Taylor (Hale) |
| Bennett | Gibson | Mitchell | Thagard |
| Broadwater | Haynes (Franklin) | Nelson | Thomas |
| Buckner | Head | Norman | Thompson (Crenshaw) |
| Busby | Howell | Richardson | Wallace |
| Dumas | Ingalls | Roberts | Ward |
| Dyar | Inzer | Robinson | White (Covington) |
| Evans | Larkins | Rogers | |
| Faulk | McClendon | Sadler | |

—41

Nays:

| | | | |
|-------------------|------------------|----------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Leonard | Ramey |
| Adams (Dale) | Dobbs (Fayette) | Lovelace | Shelton |
| Adams (Jefferson) | Doughty | McDonald | Snodgrass |
| Beatty | Duffee | McGowin | Still |
| Brannan | Gillis | McIlwain | Stone |
| Brassell | Givhan | Malone | Sullivan |
| Bush | Hankins | Martin | Taylor (Autauga) |
| Callahan | Harris | Mason | Thompson (Pike) |
| Coburn | Harrison | Mathison | Weaver |
| Cole | Haynes (Lowndes) | Merrill | Whitcomb |
| Cox | Hornsby | Molette | White (Perry) |
| Crocker | Johnston | O'Neal | Wood (Bibb) |
| Denton | Kaul | Pinson | Wood (Washington) |

—52

And on motion of Mr. Barnett the Bill, H. 168, and pending amendment, was postponed until the 11th Legislative Day.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bill, to wit:

H. 226. To make appropriation of Three Hundred Thousand Dollars (\$300,000.00), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title has been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 80. To amend Section 157 of Title 55 of the 1940 Code of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Kaul | Ramey |
| Adams (Dale) | Duffee | Knight | Richardson |
| Adams (Jefferson) | Dumas | Larkins | Roberts |
| Barnett | Dyar | Leonard | Sadler |
| Beatty | Evans | Lovelace | Sellers |
| Benford | Faulk | McClendon | Shelton |
| Bennett | Ganey | McDonald | Shirley |
| Brannan | Garrett | McGowin | Taylor (Hale) |
| Brassell | Gibson | Mason | Thagard |
| Broadwater | Givhan | Mathison | Thomas |
| Buckner | Hankins | Meeks | Thompson (Pike) |
| Busby | Harrison | Merrill | Wallace |
| Bush | Haynes (Franklin) | Miller | Ward |
| Callahan | Haynes (Lowndes) | Mitchell | Weaver |
| Cox | Howell | Molette | Whitcomb |
| Crocker | Ingalls | Nelson | White (Covington) |
| Davis | Inzer | Norman | Wood (Bibb) |
| Denton | Johnston | O'Neal | Wood (Washington) |
| Dobbs (Elmore) | | | |

—73

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution your signature there-to is requested:

Senate Joint Resolution No. 17.

Relative to; The naming of Senate Bill No. 100.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing message from the Senate.

BILLS ON THIRD READING RESUMED

H. 271. To further amend Section 25 of Title 22 of the 1940 Code of Alabama, which said section has been heretofore amended in and by Section 5 of an Act of the Legislature approved July 9, 1943, entitled "An Act to amend Sections 19, 21, 22, 24, 25, 26, 27, 33, 34, 37, 38, 39, 40 and 42 of Title 22 of the 1940 Code of Alabama, all relating to public health". (General Acts of 1943, page 454 et sequa). The instant Act will amend said Section 25 by incorporating therein the following provision: "When a coroner or health officer has been informed that a deceased person died of an unknown, or undetermined cause, or was suspected of having died of a communicable disease, or other cause important to the protection of the public health, or of poisoning, the coroner or health officer if ordered by the Probate Judge of the county is authorized to obtain or require an autopsy or internal examination of the dead body. Full authority is hereby invested in said Judge of Probate to make all necessary and reasonable orders to compel and facilitate the making of such autopsy or internal examination".

Was taken up.

Mr. Dumas offered the following amendment to the bill, H. 271:

AMENDMENT TO H. B. 271

After the words in the title and Section 1 which read: "Full authority is hereby invested in said Judge of Probate to make all necessary and reasonable orders to compel and facilitate the making of such autopsy or internal examination" add the following in each instance:

"Before ordering an autopsy or examination, the Judge of Probate shall, if practicable, give notice and an opportunity to object to the next of kin of the deceased. Nothing in this section shall repeal, alter or change the authority or duty of any coroner as otherwise provided in this code."

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | Leonard | Roberts |
| Adams (Dale) | Dyar | Lovelace | Robinson |
| Adams (Jefferson) | Evans | McClendon | Rogers |
| Benford | Ganey | McDonald | Sadler |
| Bennett | Garrett | Malone | Sellers |
| Brannan | George | Martin | Shelton |
| Brassell | Gillis | Mason | Shirley |
| Broadwater | Hankins | Mathison | Sightler |
| Buckner | Harrison | Merrill | Snodgrass |
| Busby | Haynes (Franklin) | Miller | Still |
| Bush | Haynes (Lowndes) | Mitchell | Stone |
| Callahan | Head | Molette | Taylor (Hale) |
| Coburn | Hornsby | Nelson | Thomas |
| Cox | Howell | Norman | Wallace |
| Crocker | Ingalls | O'Neal | Ward |
| Denton | Inzer | Pinkston | Weaver |
| Dobbs (Elmore) | Johnston | Pinson | Whitcomb |
| Dobbs (Fayette) | Knight | Ramey | White (Covington) |
| Doughty | Larkins | Richardson | Wood (Washington) |
| Duffee | | | |

—77

And said bill, H. 271, as amended by the amendment offered by Mr. Dumas, was read a third time at length and passed.

Yeas 73; Nays 5.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | McClendon | Robinson |
| Adams (Dale) | Dyar | McDonald | Rogers |
| Adams (Jefferson) | Evans | McIlwain | Sadler |
| Benford | Ganey | Martin | Sellers |
| Bennett | Garrett | Mason | Shelton |
| Brannan | George | Mathison | Sightler |
| Brassell | Hankins | Merrill | Snodgrass |
| Broadwater | Harrison | Miller | Still |
| Brown | Haynes (Franklin) | Mitchell | Taylor (Hale) |
| Busby | Haynes (Lowndes) | Molette | Thomas |
| Bush | Head | Nelson | Wallace |
| Callahan | Howell | Norman | Ward |
| Coburn | Ingalls | O'Neal | Weaver |
| Cox | Kaul | Pinkston | Whitcomb |
| Denton | Knight | Pinson | White (Covington) |
| Dobbs (Elmore) | Larkins | Ramey | White (Perry) |
| Dobbs (Fayette) | Leonard | Richardson | Wood (Bibb) |
| Doughty | Lovelace | Roberts | Wood (Washington) |
| Duffee | | | |

—73

Nays: Messrs. Cole, Faulk, Gibson, Johnston, Malone.

—5

BILLS POSTPONED

On motion of Mr. Brassell the bill, H. 279, was postponed until the 11th Legislative Day.

On motion of Mr. Stone the bill, H. 324, was postponed until the 11th Legislative Day.

BILLS ON THIRD READING RESUMED

(With amendment):

H. 180. To Provide For the Assessment of Solicitor's Fees As A Part of the Costs of Appeals From Judgments Rendered In Municipal Courts.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Judiciary Committee Amendment to H. 180.

Amend H.B. 180 by striking therefrom Section 1 and inserting in lieu thereof the following:

Section 1. Upon the conviction of the defendant in the court to which an appeal is taken from a judgment rendered in any municipal, mayor's or recorder's court in any city or town or upon the entering of a judgment of forfeiture against the defendant there shall be added to the other costs to be taxed against the defendant or against the defendant and his sureties in a case a judgment of forfeiture is suffered to be entered, a municipal solicitor's fee of ten dollars, to be paid to the city or town in the same manner and under the same penalties as fines are paid, provided, however, that the provision of this act shall apply only to cities and towns under ten thousand population according to the last or any subsequent federal census.

And the amendment was adopted.

Yeas 45; Nays 26.

Yeas:

| | | | |
|-----------------|-------------------|----------|-------------------|
| Mr. Speaker | Dyar | Leonard | Richardson |
| Adams (Daie) | Evans | Lovelace | Roberts |
| Beatty | Faulk | Martin | Shelton |
| Benford | Ganey | Mason | Sightler |
| Bennett | George | Mathison | Snodgrass |
| Brannan | Gillis | Merrill | Stone |
| Brassell | Givhan | Miller | Taylor (Autauga) |
| Broadwater | Haynes (Franklin) | Mitchell | Taylor (Hale) |
| Buckner | Head | Molette | White (Covington) |
| Cole | Inzer | Pinson | Wood (Bibb) |
| Denton | Knight | Ramey | Wood (Washington) |
| Dobbs (Fayette) | | | —45 |

Nays:

| | | | |
|-------------------|------------------|----------|---------------------|
| Messrs.: | Dobbs (Elmore) | Ingalls | Shirley |
| Adams (Jefferson) | Doughty | Kaul | Thagard |
| Brown | Dumas | Larkins | Thomas |
| Busby | Gibson | McIlwain | Thompson (Crenshaw) |
| Bush | Haynes (Lowndes) | Pinkston | Wallace |
| Coburn | Hornsby | Robinson | Ward |
| Cox | Howell | Sellers | |

And said bill, H. 180, as amended by the amendment reported by the Standing Committee on Judiciary, was read a third time at length and passed.

Yeas 40; Nays 36.

Yeas:

| | | | |
|-----------------|-------------------|----------|-------------------|
| Mr. Speaker | Evans | Knight | Richardson |
| Benford | Faulk | Leonard | Roberts |
| Bennett | Ganey | Lovelace | Shelton |
| Brannan | George | Mason | Snodgrass |
| Brassell | Gillis | Mathison | Stone |
| Buckner | Givhan | Merrill | Taylor (Autauga) |
| Callahan | Harrison | Miller | Taylor (Hale) |
| Denton | Haynes (Franklin) | Mitchell | Whitcomb |
| Dobbs (Fayette) | Head | Pinson | White (Covington) |
| Dyar | Inzer | Ramey | Wood (Washington) |

—40

Nays:

| | | | |
|-------------------|------------------|----------|---------------------|
| Messrs.: | Dobbs (Elmore) | Kaul | Sellers |
| Adams (Dale) | Duffee | Larkins | Shirley |
| Adams (Jefferson) | Dumas | McDonald | Sightler |
| Beatty | Gibson | McGowin | Thagard |
| Broadwater | Harris | McIlwain | Thomas |
| Brown | Haynes (Lowndes) | Meeks | Thompson (Crenshaw) |
| Busby | Hornsby | Norman | Wallace |
| Bush | Howell | Pinkston | Ward |
| Coburn | Ingalls | Robinson | |
| Cox | Johnston | | |

—36

And the bill:

S. 123. To amend Section 37 of Title 52 of the 1940 Code, which authorizes the State Board of Education and the several boards of trustees of State institutions where education is a part of the program of the institution to borrow money for the erection of buildings, beautification of grounds, and other purposes.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|------------|
| Mr. Speaker | Cole | Gillis | McDonald |
| Adams (Dale) | Cox | Givhan | McIlwain |
| Adams (Jefferson) | Crocker | Hankins | Malone |
| Beatty | Davis | Harrison | Martin |
| Benford | Denton | Haynes (Franklin) | Mason |
| Bennett | Dobbs (Elmore) | Haynes (Lowndes) | Mathison |
| Brannan | Dobbs (Fayette) | Head | Merrill |
| Brassell | Doughty | Hornsby | Miller |
| Broadwater | Duffee | Howell | Mitchell |
| Brown | Dumas | Inzer | Nelson |
| Buckner | Evans | Johnston | Norman |
| Busby | Faulk | Knight | O'Neal |
| Bush | Ganey | Larkins | Pinson |
| Callahan | George | Leonard | Ramey |
| Coburn | Gibson | McClendon | Richardson |

| | | | |
|-----------|------------------|-----------------|-------------------|
| Roberts | Still | Thomas | Weaver |
| Sellers | Stone | Thompson (Pike) | Whitcomb |
| Shelton | Sullivan | Vann | White (Covington) |
| Shirley | Taylor (Autauga) | Wallace | Wood (Bibb) |
| Sightler | Taylor (Hale) | Ward | Wood (Washington) |
| Snodgrass | Thagard | | |

—82

BILLS POSTPONED

On motion of Mr. Lovelace the bill, H. 319, was postponed until the 12th Legislative Day.

On motion of Mr. Johnston the bills, H. 8, S. 68 and H. 7, were postponed until the 15th Legislative Day.

BILLS RE-REFERRED

On motion of Mr. Thagard the bills, H. 310 and H. 316, were re-referred to the Standing Committee on Ways and Means.

On motion of Mr. Johnston the bill, H. 246, was re-referred to the Standing Committee on Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Allen:

S. 191. To amend Section 3 of an act entitled "An Act to fix the compensation or salary to be paid the Judge of Probate of Etowah County, Alabama, and to regulate the payment of the same; to provide for the compensation of clerks, deputies, clerical assistants and other expenses in the Probate Office of Etowah County, Alabama, and to require said Judge of Probate to collect all the fees, compensation and allowances heretofore or hereafter collected by said Judge of Probate, and to pay same into the County Treasury of Etowah County; to provide for the payment of the salary or compensation of said Judge of Probate and the clerks, deputies and other clerical assistants, and other offices, out of the funds of Etowah County, and to provide rules and regulation for the management and operation of such office made necessary by changing the method and basis of compensation of such Judge of Probate, and to prescribe when this Act shall go into effect." enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 73 and 74, as Local Act No. 137.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, Jewel Munroe, a Notary Public in and for said County and State, personally appeared Curtis DeLamar, who, being by me first duly sworn, deposes and says that he is the General Manager of the Gadsden Times, a daily newspaper published in Gadsden, Etowah County, Alabama, and of general circulation in said County, and that the following notice was published in the Gadsden Times once a week for four consecutive weeks prior to this date, the same having been published on April 21, April 28, May 5 and May 12, 1947:

NOTICE

Notice is hereby given of intention to apply to the Legislature of Alabama convening in May 1947, for the passage of a local law applicable in Etowah County, which said local law will be in substance as follows, viz:

"AN ACT

To amend Section 3 of an act entitled "An Act to fix the compensation or salary to be paid the Judge of Probate of Etowah County, Alabama, and to regulate the payment of the same; to provide for the compensation of clerks, deputies, clerical assistants and other expenses in the Probate Office of Etowah County, Alabama, and to require said Judge of Probate to collect all the fees, compensation and allowances heretofore or hereafter collected by said Judge of Probate, and to pay same into the County Treasury of Etowah County; to provide for the payment of the salary or compensation of said Judge of Probate and the clerks, deputies and other clerical assistants, and other office expenses, out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Judge of Probate, and to prescribe when this Act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 73 and 74, as Local Act No. 137.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 3 of an Act entitled "An Act to fix the compensation or salary to be paid the Judge of Probate of Etowah County, Alabama, and to regulate the payment of the same to provide for the compensation of clerks, deputies, clerical assistants and other expenses in the Probate Office of Etowah County, Alabama, and to require said Judge of Probate to collect all the fees, compensation and allowances heretofore or hereafter collected by said Judge of Probate, and to pay same into the County Treasury of Etowah County; to provide for the payment of the salary or compensation of said Judge of Probate and the clerks, deputies and other clerical assistants, and other office expenses, out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Judge of Probate, and to prescribe when this Act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 73 and 74, as Local Act No. 137, be and it is hereby amended so as to read as follows:

Section 3. The Board of Revenue, or like governing body, of Etowah County, Alabama, is required, authorized and empowered to provide sufficient clerks, deputies and other assistants to the said Judge of Probate, but the

said Judge of Probate shall select the said clerks, deputies and other assistants, and shall fix their compensation, but the combined salaries or compensation of said clerks, deputies and assistants selected by him shall not exceed Fourteen Thousand & 00/100 (\$14,000.00) Dollars, per annum. The said Judge of Probate shall have the right to discharge the said clerks, deputies and assistants at will. The salaries or compensation of said clerks, deputies and assistants shall be paid in equal monthly installments out of the general funds of Etowah County, upon separate warrants drawn in the same manner as other employees of Etowah County are paid."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor."

JAMES B. ALLEN
EDWARD B. MILLER
E. L. ROBERTS

A-21, 28, M-5, 12.

CURTIS DeLAMAR,
General Manager, Gadsden Times.

Sworn to and subscribed before me on this 28th day of May, 1947.
JEWEL MUNROE,
Notary Public.
My commission expires Oct. 22, 1949.

(SEAL)

Also:

By Mr. Coleman:

S. 67. To amend Section 63 of Title 61 of the Code of Alabama of 1940, which relates to contesting wills in the Circuit Court.

Also:

By Mr. Russell:

S. 178. To amend Section 80, Title 30, Code of Alabama 1940.

Also:

By Mr. Coleman:

S. 32. To amend Section 1 of Title 34 of the Code of Alabama of 1940, and to validate attempted marriages heretofore entered into by and between a man and the widow of his uncle where the parties are living together as husband and wife.

Also:

By Mr. Russell:

S. 177. To amend Section 81, Title 30, Code of Alabama 1940.

Also:

By Mr. Fite:

S. 166. To amend Section 167 of Title 7, of the 1940 Code of Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 191. Local Legislation

S. 67. Judiciary

S. 178. Judiciary

S. 32. Judiciary

S. 177. Judiciary

S. 166. Judiciary

BILLS ON THIRD READING RESUMED

H. 373. To regulate the use of county-owned school buses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 2.

Yeas:

| | | | |
|-----------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | McDonald | Sellers |
| Adams (Dale) | Dumas | McGowin | Shirley |
| Beatty | Dyar | McIlwain | Snodgrass |
| Benford | Evans | Malone | Stone |
| Brannan | Faulk | Martin | Sullivan |
| Brassell | Ganey | Mason | Taylor (Autauga) |
| Broadwater | Garrett | Mathison | Taylor (Hale) |
| Brown | Hankins | Meeks | Thagard |
| Busby | Harrison | Merrill | Thomp- |
| Bush | Haynes (Franklin) | Miller | Thompson (Pike) |
| Callahan | Haynes (Lowndes) | Mitchell | Vann |
| Coburn | Head | Molette | Wallace |
| Cole | Howell | Nelson | Ward |
| Cox | Inzer | Norman | Weaver |
| Davis | Johnston | Ramey | Whitcomb |
| Denton | Knight | Richardson | White (Covington) |
| Dobbs (Elmore) | Larkins | Roberts | White (Perry) |
| Dobbs (Fayette) | McClendon | Robinson | Wood (Washington) |
| Doughty | | | |

—73

Nays: Messrs. Barnett and Ingalls.

—2

And the bill:

(With amendment):

H. 318. To amend Section 298 of Title 52 of the 1940 Code, which relates to the minimum age at which children may enter public school.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Education, said committee amendment being as follows:

Amend H. 318 by striking therefrom the words "as soon as practicable thereafter" in the fourth line of said bill, and inserting in lieu thereof the words "within the first two weeks of school".

Also amend by striking therefrom the word "February" in the seventh line of said bill and inserting in lieu thereof the word "June".

And the amendment was adopted.

Yeas 81; Nays 2.

Yeas:

| | | | |
|-----------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | Leonard | Robinson |
| Adams (Dale) | Dyar | Lovelace | Shirley |
| Beatty | Evans | McClendon | Sightler |
| Benford | Faulk | McDonald | Snodgrass |
| Bennett | Ganey | McGowin | Still |
| Brannan | Garrett | McIlwain | Stone |
| Brassell | George | Malone | Taylor (Autauga) |
| Broadwater | Gibson | Martin | Taylor (Hale) |
| Brown | Givhan | Mason | Thagard |
| Buckner | Hankins | Mathison | Thomas |
| Busby | Harrison | Meeks | Thomp- |
| Bush | Haynes (Franklin) | Merrill | son (Crenshaw) |
| Callahan | Haynes (Lowndes) | Miller | Thompson (Pike) |
| Coburn | Head | Mitchell | Vann |
| Cole | Howell | Molette | Wallace |
| Cox | Ingalls | Nelson | Ward |
| Davis | Inzer | Pinson | Weaver |
| Denton | Johnston | Ramey | Whitcomb |
| Dobbs (Elmore) | Kaul | Richardson | White (Covington) |
| Dobbs (Fayette) | Knight | Roberts | Wood (Washington) |
| Doughty | Larkins | | |

—81

Nays: Messrs. Sellers and Wood (Bibb).

—2

And said bill, H. 318, as amended by the amendment reported by the Standing Committee on Education, was read a third time at length and passed.

Yeas 74; Nays 6.

Yeas:

| | | | |
|--------------|-----------------|-------------------|-----------|
| Mr. Speaker | Callahan | Garrett | Knight |
| Adams (Dale) | Coburn | George | Larkins |
| Barnett | Cole | Givhan | Leonard |
| Beatty | Cox | Hankins | Lovelace |
| Benford | Denton | Harrison | McClendon |
| Bennett | Dobbs (Elmore) | Haynes (Franklin) | McDonald |
| Brannan | Dobbs (Fayette) | Haynes (Lowndes) | McGowin |
| Brassell | Doughty | Head | McIlwain |
| Broadwater | Dyar | Howell | Malone |
| Buckner | Evans | Ingalls | Meeks |
| Busby | Faulk | Inzer | Merrill |
| Bush | Ganey | Johnston | Miller |

| | | | |
|------------|------------------|-----------------|-------------------|
| Mitchell | Roberts | Taylor (Hale) | Wallace |
| Molette | Robinson | Thagard | Ward |
| Nelson | Shirley | Thomas | Weaver |
| Norman | Sightler | Thomp- | Whitcomb |
| Pinson | Still | son (Crenshaw) | White (Covington) |
| Ramey | Stone | Thompson (Pike) | Wood (Washington) |
| Richardson | Taylor (Autauga) | Vann | —74 |

Nays: Messrs. Duffee, Dumas, Gibson, Kaul, Sellers, Wood (Bibb) —6

MOTION TO ADJOURN LOST

The motion of Mr. Evans to adjourn until Friday, June 24, 1947, was lost.

Yeas 34; Nays 51.

Yeas:

| | | | |
|-----------------|----------|----------|-------------------|
| Mr. Speaker | George | Knight | Still |
| Busby | Gibson | Lovelace | Stone |
| Cole | Givhan | McGowin | Taylor (Autauga) |
| Denton | Harrison | Meeks | Thomas |
| Dobbs (Fayette) | Head | Miller | Thomp- |
| Doughty | Ingalls | Norman | son (Crenshaw) |
| Evans | Inzer | Roberts | Whitcomb |
| Faulk | Johnston | Sadler | White (Covington) |
| Garrett | Kaul | Sightler | —34 |

Nays:

| | | | |
|--------------|-------------------|-----------|-----------------|
| Messrs.: | Coburn | Leonard | Richardson |
| Adams (Dale) | Cox | McClendon | Sellers |
| Barnett | Davis | McDanal | Shelton |
| Beatty | Duffee | McIlwain | Shirley |
| Benford | Dumas | Malone | Snodgrass |
| Bennett | Dyar | Martin | Taylor (Hale) |
| Brannan | Ganey | Mathison | Thompson (Pike) |
| Brassell | Hankins | Merrill | Vann |
| Broadwater | Haynes (Franklin) | Mitchell | Wallace |
| Brown | Haynes (Lowndes) | Molette | Ward |
| Buckner | Hornsby | Nelson | Weaver |
| Bush | Howell | O'Neal | Wood (Bibb) |
| Callahan | Larkins | Ramey | —51 |

RESOLUTION POSTPONED

On motion of Mr. Shelton, H.R. 18 was postponed until the 12th Legislative Day.

BILLS ON THIRD READING RESUMED

(With amendment):

H. 364. To provide for the transportation in school busses of patrons of a school to and from school functions.

Was taken up.

The question was upon the adoption of the amendment report-

ed by the Standing Committee on Education, said committee amendment being as follows:

Amend H. 364 by striking therefrom the words "Provided that athletic contests of any kind are not included in the term 'school functions, exercises, or activities' and" beginning in the fourth line of Section 1 of said bill.

On motion of Mr. Benford the bill, H. 364, and pending amendment, was postponed until the 15th Legislative Day.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:18 A.M. on June 24, 1947.

H. 17

H. 21

H. 22

H. 126 Delivered to Sec. of State at 11:15 A.M. on June 24, 1947.

H. 142 Delivered to the Governor at 10:18 A.M. on June 24, 1947.

H. 143

H. 152

H. 159

H. 160

H. 161

H. 162

H. 205

H. 208

H. 226 Delivered to the Governor at 2:45 P.M. on June 24, 1947.

H. 228 Delivered to the Governor at 10:18 A.M. on June 24, 1947.

H.J.R. 19

H.J.R. 22

R. T. Goodwyn, Jr.
Clerk.

ADJOURNMENT

On motion of Mr. Barnett, the House, in accordance with H.J.R. 27 heretofore adopted, adjourned until Friday, June 27, 1947, at 10 o'clock, A.M.

Yeas 46; Nays 43.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | Kaul | Sadler |
| Adams (Jefferson) | Faulk | Knight | Still |
| Barnett | Garrett | McClendon | Sullivan |
| Benford | George | McDanal | Thomas |
| Bennett | Givhan | McDonald | Thomp- |
| Bush | Hankins | McGowin | son (Crenshaw) |
| Denton | Harris | Mathison | Vann |
| Dobbs (Elmore) | Harrison | Mitchell | Whitcomb |
| Dobbs (Fayette) | Haynes (Franklin) | Pinkston | White (Covington) |
| Doughty | Head | Pinson | White (Perry) |
| Duffee | Howell | Richardson | Wood (Washington) |
| Dyar | Johnston | Roberts | |

—46

Nays:

| | | | |
|--------------|------------------|----------|-----------------|
| Messrs.: | Davis | Martin | Shirley |
| Adams (Dale) | Dumas | Mason | Sightler |
| Beatty | Ganey | Meeks | Snodgrass |
| Brannan | Gibson | Merrill | Stone |
| Broadwater | Gillis | Miller | Taylor (Hale) |
| Brown | Haynes (Lowndes) | Molette | Thagard |
| Buckner | Hornsby | Nelson | Thompson (Pike) |
| Busby | Inzer | Ramey | Wallace |
| Callahan | Leonard | Robinson | Ward |
| Coburn | McIlwain | Sellers | Weaver |
| Cox | Malone | Shelton | Wood (Bibb) |

—43

TENTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 27, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Blount F. Davidson, Superintendent of Missions, Montgomery Baptist Association, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | McDanal | Sellers |
| Adams (Dale) | Evans | McDonald | Shelton |
| Adams (Jefferson) | Faulk | McGowin | Shirley |
| Barnett | Frasier | McIlwain | Sightler |
| Beatty | Ganey | Malone | Snodgrass |
| Benford | Garrett | Martin | Stewart |
| Bennett | George | Mason | Still |
| Brannan | Gibson | Mathison | Stone |
| Brassell | Gillis | Meeks | Sullivan |
| Broadwater | Givhan | Merrill | Taylor (Autauga) |
| Brown | Hankins | Miller | Taylor (Hale) |
| Buckner | Harris | Mitchell | Thagard |
| Busby | Harrison | Molette | Thomas |
| Bush | Haynes (Franklin) | Nelson | Thomp- |
| Callahan | Haynes (Lowndes) | Nettles | son (Crenshaw) |
| Cobb | Head | Norman | Thompson (Pike) |
| Coburn | Hornsby | O'Neal | Tucker |
| Cole | Howell | Pinkston | Vann |
| Cox | Ingalls | Pinson | Wallace |
| Crocker | Inzer | Pruitt | Ward |
| Davis | Johnston | Ramey | Weaver |
| Denton | Kaul | Richardson | Whitcomb |
| Dobbs (Elmore) | Knight | Roberts | White (Covington) |
| Dobbs (Fayette) | Larkins | Robinson | White (Perry) |
| Doughty | Leonard | Rogers | Wood (Bibb) |
| Duffee | Lovelace | Sadler | Wood (Washington) |
| Dumas | McClendon | | |

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the ninth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the ninth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 96. To prohibit the further issuance and sale of sale tax tokens; to provide for and require the redemption of tokens currently circulating in Alabama; and to make an appropriation for the payment of expense incurred thereby.

Also:

H. 13. To amend Section 240 of Title 13 of the 1940 Code of Alabama which relates to transportation expenses, offices and supplies of circuit and deputy solicitors.

Also:

H. 89. To enable the State of Alabama to enter into a compact with other States for the purpose of promotion and better utilization of the Fisheries of the Gulf of Mexico to be known as the Gulf States Marine Fisheries Compact to provide for representatives to the commission created thereby, and to provide an appropriation therefor.

Also:

H. 102. To amend Section 161 of Title 8 of the Code of Alabama of 1940.

Also:

By Mr. Broadwater:

H. 86. To amend Section 85 of Title 22 of the 1940 Code, which relates to the promulgation and enforcement of rules for the operation of food-handling establishments.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and orders same sent forthwith to the House without engrossment.

By Mr. Wright:

S. 112. To regulate the handling, sale, and distribution of barbiturates.

Also:

By Mr. Henderson:

S. 120. To amend Sections 1 and 2 of Act No. 529, Regular Session, 1943, relating to the blood testing for syphilis of all persons residing in Alabama, approved July 1, 1943.

Also:

By Mr. Russell:

S. 181. To repeal Act 263, approved July 7, 1945, which provides for and regulates the use of commercial fishing gear in certain public fresh waters of the State.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 112. Health

S. 120. Health

S. 181. Conservation

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Russell:

S. 179. To amend Section 207, Title 14, Code of Alabama 1940.

Also:

By Mr. Mize:

S. 185. To authorize and create an additional judge of the Sixth Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, to provide for the designation of each of the two offices of Circuit Judge of said circuit by number and to provide for the salary of said judge.

Also:

By Messrs. Lowe, Allen, Boutwell and Henderson:

S. 85. To amend Section 175 of Title 55, Code of Alabama 1940.

Also:

By Mr. Russell:

S. 175. To amend Section 78, Title 30, Code of Alabama 1940.

Also:

By Mr. Russell:

S. 176. To amend Section 415, Title 14, Code of Alabama 1940.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 179. Judiciary

S. 185. Judiciary

S. 85. Ways and Means

S. 175. Judiciary

S. 176. Judiciary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Lowe, Allen, Boutwell and Henderson:

S. 87. To amend Section 30 of Title 41 of the 1940 Code of Alabama which relates to appropriation for rental of office spaces.

Also:

By Mr. Henderson:

S. 121. To provide for and require examinations, x-rays, or other testings for tuberculosis of certain persons residing in Alabama, making an appropriation to carry out the terms of the Act, providing penalties for violations thereof.

Also:

By Mr. Hooton:

S. 106. To repeal Sections 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, and 613 of Title 52 of the Code of Alabama 1940.

Also:

By Mr. Hooton:

S. 107. To establish a correctional and education institution under the name and style of "Alabama Industrial School for Negro Children;" to provide for the government and control of the Alabama Industrial School for Negro Children by a board of trustees; to provide for the membership of said board; to provide that the present board of trustees shall remain as members of the board; to provide for the time of meeting of said board; to provide for the expenses of the members of the board; to provide for the appointment and qualifications and compensation of a superintendent of the Alabama Industrial School for Negro Children and the

officers serving under him; to provide that the board shall fix minimum standards of service and personnel, set salary schedules; to provide for the qualifications and employment of other personnel; to provide the duties of the superintendent; to provide for the method of admission to, age, custody, and time of stay in school, discharge, parole, transfer, and escapes of children in the Alabama Industrial School for Negro children; to provide the method of discipline of children; to provide the classification and education of children under care; to provide the duties of the State Department of Public Welfare in relation to the Alabama Industrial School for Negro children; to provide for the transportation of children committed to and discharged from the Alabama Industrial School for Negro Children; to provide for the execution of a bond by the superintendent and treasurer; to provide for the removal of the Alabama Industrial School for Negro Children and the sale of property subject to the action of the board and the approval of the Governor; to provide for the acceptance of donations of land, buildings, personal property, and money donated for the use of the Alabama Industrial School for Negro Children; to provide for the conviction and fining of any person interfering with any person in charge of a child committed to the Alabama Industrial School for Negro Children or for the conviction and punishment of any person persuading, coercing, inducing, or assisting in any manner any child who has been committed to the care of the Alabama Industrial School for Negro Children, to leave without the consent of the superintendent or some person in charge.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

- S. 87. Ways and Means
- S. 121. Ways and Means
- S. 106. Education
- S. 107. Education

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Joint Resolution and sends same forthwith to the House for its consideration:

By Mr. Patterson:

S.J.R. 21. BE IT RESOLVED by the Senate, the House concurring, that we extend our thanks to His Excellency, James E. Folsom, Governor of Alabama, and to the Honorable Frank Boswell, Director of the Department of Corrections and Institutions, and his staff for the splendid barbecue dinner served to the Legislature of the State of Alabama, Senate and House employees, relatives and friends of the Legislature, and officials at Kilby Prison on Tuesday, June 17th, 1947.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the House concurred in and adopted S.J.R. 21 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and as amended, passed the following House bill:

H. 95. To Amend Section 776, Title 51, Article 10, Chapter 20, Code of Alabama 1940.

And returns same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Johnston, the House concurred in and adopted the Senate amendment to the bill, H. 95, said Senate amendment being as follows:

Amend House Bill 95 by striking therefrom the last paragraph of Section 1, commencing with the words "Provided further that" and ending with the words "the tax herein levied."

Yeas 81; Nays 0.

Yeas:

| | | | |
|-------------------|----------------|---------|----------|
| Mr. Speaker | Bush | Doughty | Givhan |
| Adams (Dale) | Callahan | Dumas | Hankins |
| Adams (Jefferson) | Cobb | Dyar | Harrison |
| Beatty | Coburn | Evans | Head |
| Benford | Cole | Faulk | Howell |
| Bennett | Crocker | Ganey | Ingalls |
| Brannan | Cox | Garrett | Inzer |
| Brassell | Davis | George | Johnston |
| Broadwater | Denton | Gibson | Knight |
| Busby | Dobbs (Elmore) | Gillis | Larkins |

| | | | |
|-----------|------------|----------------|-------------------|
| Leonard | Molette | Rogers | Thompson (Pike) |
| McClendon | Nelson | Sellers | Tucker |
| McDonald | Nettles | Shelton | Wallace |
| Malone | O'Neal | Snodgrass | Ward |
| Martin | Pinkston | Still | Weaver |
| Mason | Pinson | Stone | Whitcomb |
| Mathison | Pruitt | Taylor (Hale) | White (Covington) |
| Meeks | Ramey | Shirley | White (Perry) |
| Merrill | Richardson | Thomas | Wood (Bibb) |
| Miller | Roberts | Thomp- | |
| Mitchell | Robinson | son (Crenshaw) | |

—81

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House bill:

H. 101. To provide for the transfer of \$150,000.00 in the State Treasury to the credit of the Tax Token Redemption Fund for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Alabama Special Educational Trust Fund.

And returns same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Johnston the House concurred in and adopted the Senate amendment to the bill, H. 101, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To provide for the transfer of \$150,000.00 in the State Treasury to the credit of the Tax Token Redemption Fund in the fiscal year ending September 30, 1948, and to provide for the transfer of any balance in the Tax Token Redemption Fund in the fiscal year ending September 30, 1949, to the Alabama Special Educational Trust Fund.

Be it Enacted by the Legislature of Alabama:

Section 1. That out of the monies in the State Treasury to the credit of the Tax Token Redemption Fund the sum of \$150,000.00 in the fiscal year ending September 30, 1948, and any balance in the Tax Token Redemption Fund in the fiscal year ending September 30, 1949, shall be transferred to the Alabama Special Educational Trust Fund.

Section 2. All acts and parts of laws, general, special or local in conflict with the provisions of this act are hereby expressly repealed.

Section 3. That this act shall take effect upon its passage and approval by the Governor or its otherwise becoming a law.

Yeas 85; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Faulk | McGowin | Shelton |
| Adams (Dale) | Ganey | McIlwain | Shirley |
| Adams (Jefferson) | Garrett | Martin | Sightler |
| Barnett | George | Mason | Snodgrass |
| Beatty | Gibson | Mathison | Still |
| Benford | Gillis | Meeks | Stone |
| Brannan | Givhan | Merrill | Sullivan |
| Broadwater | Hankins | Miller | Taylor (Autauga) |
| Buckner | Harrison | Mitchell | Taylor (Hale) |
| Bush | Haynes (Franklin) | Molette | Thomas |
| Callahan | Haynes (Lowndes) | Nelson | Thomp- |
| Cobb | Head | Nettles | son (Crenshaw) |
| Coburn | Howell | O'Neal | Thompson (Pike) |
| Cole | Ingalls | Pinson | Tucker |
| Cox | Inzer | Ramey | Wallace |
| Crocker | Johnston | Richardson | Ward |
| Davis | Knight | Roberts | Weaver |
| Denton | Larkins | Robinson | Whitcomb |
| Dobbs (Elmore) | Leonard | Rogers | White (Covington) |
| Dobbs (Fayette) | McClendon | Sadler | White (Perry) |
| Doughty | McDanal | Sellers | Wood (Bibb) |
| Evans | McDonald | | |

—85

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 17, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

JUNE 27, 1947

To the House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 17, without my approval.

I suggest the following amendment to House Bill No. 17:

Amend House Bill No. 17 by striking therefrom the word "government" wherever it appears in Section 3 of said bill, and inserting in lieu thereof the word "governor".

The adoption of this amendment will remove my objection to this bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

JUNE 27, 1947

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 17, said Governor's Amendment being set out in the above and foregoing Message from the Governor.

Yeas 84; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Ganey | McIlwain | Sellers |
| Adams (Dale) | Garrett | Malone | Shelton |
| Adams (Jefferson) | George | Martin | Shirley |
| Beatty | Gibson | Mason | Sightler |
| Benford | Gillis | Mathison | Snodgrass |
| Bennett | Givhan | Meeks | Still |
| Brannan | Hankins | Merrill | Stone |
| Brassell | Harrison | Miller | Taylor (Autauga) |
| Buckner | Haynes (Franklin) | Mitchell | Taylor (Hale) |
| Bush | Head | Molette | Thomas |
| Cobb | Hornsby | Nelson | Thompson |
| Coburn | Howell | Norman | son (Crenshaw) |
| Cox | Ingalls | O'Neal | Thompson (Pike) |
| Crocker | Inzer | Pinkston | Tucker |
| Davis | Johnston | Pinson | Wallace |
| Denton | Knight | Pruitt | Ward |
| Dobbs (Elmore) | Larkins | Ramey | Weaver |
| Dobbs (Fayette) | Leonard | Richardson | Whitcomb |
| Doughty | McClendon | Roberts | White (Covington) |
| Dyar | McDanal | Robinson | White (Perry) |
| Evans | McDonald | Rogers | Wood (Bibb) |
| Faulk | | | |

—84

Which was a majority of the whole number elected to the House. And said bill:

H. 17. To authorize the Board of Revenue of Calhoun County, Alabama to purchase radios, machine guns, ammunition, and any other equipment that the said Board of Revenue may deem necessary for proper law enforcement for the use of the Sheriff of Calhoun County.

As amended by the amendment proposed by His Excellency, The Governor, was again read at length and passed.

Yeas 84; Nays 0.

Yeas:

| | | | |
|-------------------|----------------|-------------------|-----------|
| Mr. Speaker | Cobb | George | Inzer |
| Adams (Dale) | Coburn | Gibson | Johnston |
| Adams (Jefferson) | Cox | Gillis | Knight |
| Beatty | Crocker | Givhan | Larkins |
| Benford | Davis | Hankins | Leonard |
| Bennett | Denton | Harrison | McClendon |
| Brannan | Dobbs (Elmore) | Haynes (Franklin) | McDanal |
| Brassell | Doughty | Haynes (Lowndes) | McDonald |
| Buckner | Dyar | Head | McIlwain |
| Bush | Faulk | Howell | Malone |
| Callahan | Ganey | Ingalls | Martin |

| | | | |
|----------|------------|---------------------|-------------------|
| Mason | Pinkston | Sightler | Thompson (Pike) |
| Mathison | Pinson | Snodgrass | Tucker |
| Meeks | Pruitt | Still | Ward |
| Merrill | Ramey | Stone | Weaver |
| Miller | Richardson | Sullivan | Whitcomb |
| Mitchell | Roberts | Taylor (Autauga) | White (Covington) |
| Molette | Robinson | Taylor (Hale) | White (Perry) |
| Nelson | Rogers | Thomas | Wood (Bibb) |
| Nettles | Sellers | Thompson (Crenshaw) | Wood (Washington) |
| Norman | Shelton | | |
| O'Neal | Shirley | | |

—84

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

By Messrs. Harris and Stewart:

H. 258. To amend Section Four of an act entitled "An Act to ratify, heal and cure an Act of the Legislature of Alabama, approved September 6, 1927, and entitled: "An Act To Provide for the election of a County Superintendent of Education of Morgan County, Alabama, by the Qualified Electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officers;" to confirm and validate the election held under and in accordance with the provisions of said Act, and the election of George T. Woodruff as County Superintendent of Education of Morgan County at said election; to fix the term of office of the County Superintendent of Education of Morgan County; to prescribe his salary and the manner of payment; to define his qualifications, powers and duties and to provide for the election of his successors in office," approved March 5th, 1931 so that the salary of the County Superintendent of Education of Morgan County, Alabama, shall be \$4500.00 per year instead of \$3600.00 per year as now provided, beginning July 1, 1947.

J. E. Speight,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House bills, to wit;

H. 13. To amend Section 240 of Title 13 of the 1940 Code of Alabama which relates to transportation expenses, offices and supplies of circuit and deputy solicitors.

Also:

H. 86. To amend Section 85 of Title 22 of the 1940 Code, which relates to the promulgation and enforcement of rules for the operation of food-handling establishments.

Also:

H. 89. To enable the State of Alabama to enter into a compact with other States for the purpose of promotion and better utilization of the Fisheries of the Gulf of Mexico to be known as the Gulf States Marine Fisheries Compact to provide for representatives to the commission created thereby, and to provide an appropriation therefor.

Also:

H. 96. To prohibit the further issuance and sale of sales tax tokens; to provide for and require the redemption of tokens currently circulating in Alabama; and to make an appropriation for the payment of expense incurred thereby.

Also:

H. 102. To amend Section 161 of Title 8 of the Code of Alabama of 1940.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bill, to wit;

H. 258. To amend Section Four of an act entitled "An Act to ratify, heal and cure an Act of the Legislature of Alabama, approved September 6, 1927, and entitled: "An Act To Provide for the election of a County Superintendent of Education of Morgan County, Alabama, by the Qualified Electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officers;" to confirm and validate the election held under and in accordance with the provisions of said Act, and the election of George T. Woodruff as County Superintendent of Education of

Morgan County at said election; to fix the term of office of the County Superintendent of Education of Morgan County; to prescribe his salary and the manner of payment; to define his qualifications, powers and duties and to provide for the election of his successors in office," approved March 5th, 1931 so that the salary of the County Superintendent of Education of Morgan County, Alabama, shall be \$4500.00 per year instead of \$3600.00 per year as now provided, beginning July 1, 1947.
And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that said Committee, in session, has compared the following engrossed bills with the original bills and finds same correctly engrossed; to wit:

By Mr. Lovelace:

H. 180. To Provide For the Assessment of Solicitor's Fees As A Part of the Costs of Appeals From Judgments Rendered In Municipal Courts.

Also:

By Mr. Dumas:

H. 271. To further amend Section 25 of Title 22 of the 1940 Code of Alabama, which said section has been heretofore amended in and by Section 5 of an Act of the Legislature approved July 9, 1943, entitled "An Act to amend Sections 19, 21, 22, 24, 25, 26, 27, 33, 34, 37, 38, 39, 40 and 42 of Title 22 of the 1940 Code of Alabama, all relating to public health". (General Acts of 1943, page 454 et sequa). The instant Act will amend said Section 25 by incorporating therein the following provision: "When a coroner or health officer has been informed that a deceased person died of an unknown, or undetermined cause, or was suspected of having died of a communicable disease, or other cause important to the protection of the public health, or of poisoning, the coroner or

health officer if ordered by the Probate Judge of the county is authorized to obtain or require an autopsy or internal examination of the dead body. Full authority is hereby invested in said Judge of Probate to make all necessary and reasonable orders to compel and facilitate the making of such autopsy or internal examination." Before ordering an autopsy or examination, the Judge of Probate shall, if practicable, give notice and an opportunity to object to the next of kin of the deceased. Nothing in this section shall repeal, alter or change the authority or duty of any corner as otherwise provided in this code.

Also:

By Messrs. White (Covington), Miller, and Bush:

H. 318. To amend Section 298 of Title 52 of the 1940 Code, which relates to the minimum age at which children may enter public school.

W. M. Beck,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and presiding officer of the Senate having signed the following Senate bills, your signature thereto is requested:

S. 63. To amend Section 27 of Title 47 of the Code of Alabama 1940, as amended by an Act approved June 22, 1943.

Also:

S. 123. To amend Section 37 of Title 52 of the 1940 Code, which authorizes the State Board of Education and the several boards of trustees of State institutions where education is a part of the program of the institution to borrow money for the erection of buildings, beautification of grounds, and other purposes.

Also:

S. 131. To amend Sections 1 and 3 of An Act entitled "An Act To abolish the office of Deputy Solicitor of Marion County, and to create in lieu thereof the office of County Solicitor of Marion County; to provide for said County Solicitor and for his election; and prescribe his term of office, powers, duties, jurisdiction and compensation", approved May 15, 1943.

Also:

S. 132. To amend Sections 2 and 8 of An Act entitled "An Act To further regulate the County Court of Marion County, Alabama; to define its jurisdiction and powers; to provide for a judge of said Court and for his election, and to prescribe his term of office, powers, jurisdiction, duties and compensation; to make said

Court a court of record, and to provide that said court shall be open at all times for the trial of cases and the transaction of business; and to prescribe rules and procedure for said Court," approved May 15, 1943.

Also:

S. 150. To alter and re-arrange the boundary lines of the City of Talladega, Alabama and to describe the area included in such boundary lines and within the corporate limits of said City of Talladega, Alabama.

Also:

S. 158. To fix the term of office of the Tax Assessor of Tuscaloosa County, Alabama, and to provide for his election.

Also:

S. 159. To fix the term of office of the Tax Collector of Tuscaloosa County, Alabama, and to provide for his election.

Also:

S. 160. To amend Section 613, Title 62, Code of Alabama of 1940, which relates to the election, qualifications, and compensation of a recorder or municipal judge for the City of Tuscaloosa.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and send same herewith to the House:

Senate Bill #147 By Owens:

To require employees of the State or any agency or subdivision thereof to take an oath disavowing Communist Party membership and the advocacy of overthrowing the government of the United States or the State of Alabama.

J. E. Speight,
Chairman.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 147. Judiciary

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H.J.R. 30. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, July 1, 1947, at 10 o'clock A.M.

On motion of Mr. Snodgrass the rules were suspended, and Mr. Stone offered the following substitute for H.J.R. 30:

BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again at 10:00 A.M. on Tuesday, July 8, 1947.

The motion of Mr. Snodgrass to table the substitute offered by Mr. Stone, was adopted.

Yeas 61; Nays 23.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Howell | Ramey |
| Adams (Dale) | Doughty | Inzer | Richardson |
| Adams (Jefferson) | Duffee | Knight | Roberts |
| Barnett | Dyar | Larkins | Robinson |
| Beatty | Evans | Leonard | Sellers |
| Benford | Garrett | McClendon | Shelton |
| Bennett | Gillis | McIlwain | Shirley |
| Brassell | Givhan | Mason | Snodgrass |
| Broadwater | Hankins | Mathison | Still |
| Callahan | Harris | Merrill | Thagard |
| Cobb | Harrison | Miller | Thompson (Pike) |
| Coburn | Haynes (Franklin) | Molette | Ward |
| Cole | Haynes (Lowndes) | Nelson | Weaver |
| Cox | Head | Nettles | White (Covington) |
| Davis | Hornsby | O'Neal | Wood (Washington) |
| Denton | | | |

—61

Nays:

| | | | |
|-----------|----------|----------|---------------|
| Messrs. : | Ganey | Malone | Rogers |
| Brannan | George | Martin | Sightler |
| Brown | Gibson | Norman | Stone |
| Bush | Ingalls | Pinkston | Sullivan |
| Crocker | Johnston | Pinson | Taylor (Hale) |
| Faulk | Kaul | Pruitt | Tucker |

—23

And on motion of Mr. Snodgrass H.J.R. 30 was adopted.

BILL RE-REFERRED

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute.

H. 321. To appropriate to each of the sixty-seven counties of the State of Alabama one-fourth of the proceeds of business or privilege license taxes collected by the State in each county; to provide for the payment thereof to the counties; and to provide the expenditure thereof by the counties.

And the bill, H. 321, was in accordance with House Rule No. 59, re-referred by the Speaker to the Standing Committee on Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended, as therein shown, and as amended, has passed the following House bill and returns same herewith to the House:

H. 133. To fix the salary of the Deputy Solicitor for Calhoun County Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Bennett, the House concurred in and adopted the Senate amendment to the bill, H. 133, said Senate amendment being as follows:

Amend title to House Bill No. 133 by striking therefrom the words "thirty-six hundred" and inserting in lieu thereof the words "three thousand."

Yeas 74; Nays 0.

Yeas:

| | | | |
|-------------------|----------------|-------------------|----------|
| Mr. Speaker | Cox | Haynes (Franklin) | Mason |
| Adams (Dale) | Crocker | Haynes (Lowndes) | Mathison |
| Adams (Jefferson) | Davis | Head | Merrill |
| Benford | Denton | Howell | Miller |
| Bennett | Dobbs (Elmore) | Ingalls | Mitchell |
| Brannan | Dyar | Inzer | Molette |
| Brassell | Evans | Johnston | Nelson |
| Buckner | Faulk | Knight | Nettles |
| Bush | Garrett | Larkins | Norman |
| Callahan | George | Leonard | Pinkston |
| Cobb | Gibson | Lovelace | Pinson |
| Coburn | Gillis | McClendon | Pruitt |
| Cole | Hankins | McIlwain | Ramey |

| | | | |
|------------|-----------|------------------|-------------------|
| Richardson | Shirley | Taylor (Autauga) | Wallace |
| Roberts | Sightler | Taylor (Hale) | Ward |
| Robinson | Snodgrass | Thagard | Whitcomb |
| Rogers | Still | Thomas | White (Covington) |
| Sellers | Stone | Tucker | Wood (Bibb) |
| Shelton | Sullivan | | |

—74

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 30. Relative to adjournment of the two Houses until Tuesday, July 1, 1947, at 10 o'clock A. M.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cater:

S. 206. To fix the salary of the Deputy Clerk of the Court of Common Pleas of Montgomery.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, in the 1947 Session thereof, which bill is in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To fix the Salary of the Deputy Clerk of the Court of Common Pleas of Montgomery.

Section 1. That the Salary of the Deputy Clerk of the Court of Common Pleas of Montgomery shall be Twenty-four Hundred Dollars per annum payable in monthly installments out of the general fund of the Treasury of Montgomery County upon warrants drawn upon the certificates of the Judge of said Court that said Deputy Clerk has performed the duties of his or her office for such month.

Section 2. That this Act shall become effective upon its passage and approval by the Governor.

Section 3. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby expressly repealed.

The Montgomery Weekly
April 17-24, May 1-8, 1947.

AFFIDAVIT OF PUBLICATION

Before me, Edna McArdle, a Notary Public in and for County of Montgomery, and State of Alabama, personally appeared Frank Nunnellee, Editor of Montgomery Weekly, who being duly sworn, deposes and says on oath that the attached legal advertisement appeared in the Montgomery Weekly for four consecutive issues, namely those of April 17th, 24th, May 1st & 8th, 1947

Dated this 8th day of May, 1947

FRANK NUNNELLEE,
Editor.
EDNA McARDLE,
Notary Public.

Also:

By Mr. Patton:

S. 210. To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

This is to notify the voters of Limestone County, Alabama, that it is the intention of the undersigned to introduce the following local bill during the regular session of the 1947 Legislature.

David U. Patton, Senator
Bunyan D. Broadwater, Representative.

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Tax Collector of Limestone County shall be paid a salary of three thousand and six hundred dollars (\$3,600) per annum in lieu of any other compensation or remuneration for the performance of his duties, except that he shall be entitled to receive for his own use the fees, commissions, and percentages provided by law for collecting taxes on behalf of municipalities within the county. All other fees, commissions, and percentages heretofore collectible for the tax collector's own use shall be collected and paid into the general fund of the county. The tax collector's salary shall be paid out of the general fund of the county in equal monthly installments as the salaries of county employees are paid.

Section 2. The tax collector may employ a clerk, whose salary shall be fixed by him at not less than one hundred dollars (\$100) nor more than one hundred and thirty-five dollars (\$135) per month. The salary of the clerk shall be paid by the county. The tax collector shall not employ such clerk unless he shall file on or before October 1 of each year his affidavit showing a necessity for such employee during the ensuing year.

Section 3. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 4. All laws in conflict with this Act are repealed.

Section 5. This Act shall become effective at the expiration of the term of the incumbent Tax Collector of Limestone County; or, if the incumbent shall agree in writing, which agreement shall be filed with the Board of Revenue of Limestone County, the Act shall become effective instantan.

ALABAMA COURIER

Established 1880
Limestone County's Oldest and Best-Read Newspaper
Phone 167 Steel McGrew, Editor-Owner Athens, Ala.
June 14, 1947
Limestone County Board of Revenue
City

Bills for change of legislation for Tax Collector, 370 words, 4 t. 16.65

State of Alabama
Limestone County

Before me, the undersigned authority in and for said State and County, personally appeared Steel McGrew, who being by me first duly sworn, deposes and says that he is the Editor and Publisher of the Alabama Courier, a weekly newspaper of general circulation published in Limestone County, Alabama; that the above and foregoing notice was published once a week for four (4) consecutive weeks in said Alabama Courier, on to wit--May 22, May 29, June 5, and June 12, 1947, without cost to the State of Alabama.

STEELE MCGREW by ALDENA CHAPMAN.

Sworn to and subscribed to before me, this the 16 day of June, 1947.

(SEAL) HARDY TAFT,
Notary Public, Limestone County, Alabama.

Also:

By Mr. Howle:

S. 195. To provide for clerical assistants, and other expenses, of the Judge of Probate, Tax Collector, and Tax Assessor of Calhoun County, and to provide for the payment of the salaries of clerks, deputies, and clerical assistants in said offices out of the County Treasury of Calhoun County.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the Legislature of Alabama will be requested to pass in substance at its May meeting the following bill to be entitled.

AN ACT

To provide for clerical assistants, and other expenses, of the Judge of Probate, Tax Collector, and Tax Assessor of Calhoun County, and to provide for the payment of the salaries of clerks, deputies, and clerical assistants in said offices out of the County Treasury of Calhoun County.

Be it enacted by the Legislature of Alabama:

Section 1. That the combined salaries, or compensation of the clerks, deputies, and assistants in the office of the Judge of Probate of Calhoun County; shall not exceed thirteen thousand eight hundred (\$13,800.00) dollars

per annum; that the combined salaries of the clerks, deputies, and assistants in the office of the Tax Collector of Calhoun County, shall not exceed four thousand four hundred sixty (\$4,460.00) dollars per annum; that the combined salaries of the clerks, deputies, and assistants in the office of the Tax Assessor of Calhoun County, shall not exceed eight thousand three hundred sixty (\$8,360.00) dollars per annum, which said salaries, or compensation, shall be paid in equal monthly installments, out of the general funds of Calhoun County, in the same manner as the clerks, deputies and assistants in said offices are now paid.

Section 2. That the County Commission, or like governing body of said county is hereby authorized, empowered and directed to appropriate and set aside out of the general fund of Calhoun County, the amounts fixed for clerical assistants in the offices of the Judge of Probate, Tax Collector, and Tax Assessor, respectively, and the County Treasurer, or County Depository, of said County is hereby authorized to pay said amounts upon warrants drawn in the same manner as other employes in said offices are paid.

Section 3. That all laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 4. This act shall take effect immediately upon its passage and approval by the Governor.
May 16, 23, 30; June 6.

THE ANNISTON STAR
Anniston, Ala.

Personally appeared before me Ralph W. Callahan, who, being duly sworn, makes oath that he is Business Manager of The Anniston Star, a daily newspaper published in Anniston, Ala., and that the attached notice was published on the following dates: May 16, 23, 30; June 6

RALPH CALLAHAN.

Sworn to and subscribed before me this 9 day of June 1947

CLARA B. WRIGHT,
Notary Public.

(SEAL)

Also:

By Mr. Clayton:

S. 203. To authorize the Board of Revenue of Barbour County to appropriate funds for the purchase of soil conservation machinery and equipment for use by residents of the county in conserving soil resources and controlling and preventing soil erosion.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO INTRODUCE LOCAL LAW.

Notice is hereby given that a bill will be introduced in the Regular session of the Legislature of Alabama in June, 1947, substantially in the following words:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Board of Revenue of Barbour County to appropriate funds for the purchase of soil conservation machinery and equipment for us by residents of the county in conserving soil resources and controlling and preventing soil erosion.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue of Barbour County is authorized to appropriate a sum not to exceed five thousand dollars (\$5,000) per annum to be used for the purpose of purchasing or other wise acquiring terracing and soil conservation machinery and equipment.

Section 2. Any machinery or equipment purchased or otherwise acquired by the county under authority of this Act may be leased or lent to responsible residents of Barbour County for use in conserving soil resources and controlling soil erosion upon such terms and conditions as the board may impose.

Section 3. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

BOARD OF REVENUE OF BARBOUR COUNTY.

M-23-30-J-6 13 4t.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BARBOUR COUNTY.

BEFORE ME, Mary Blair, a Notary Public in and for said County and State, personally appeared W. I. GAMMELL, who being sworn, deposes and says on oath that he is the Publisher of THE CLAYTON RECORD a newspaper published weekly, in the Town of Clayton, Barbour County, Alabama, and that the attached notice of intention to introduce local law was published in said newspaper 4 consecutive times. The same appearing in the issues dated May 23-30 June 6-13, 1947.

W. L. GAMMELL,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 13 day of June, 1947.
(SEAL)

MARY BLAIR.

Also:

By Mr. Patton:

S. 211. To change the method of compensating the Sheriff of Limestone County; placing such officer on a salary; and providing for the operation of his office on a salary basis.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

This is to notify the voters of Limestone County, Alabama, that it is the intention of the undersigned to introduce the following local bill during the regular session of the 1947 Legislature.

David U. Patton, Senator
Bunyan D. Broadwater, Representative.

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating the Sheriff of Limestone County; placing such officer on a salary; and providing for the operation of his office on a salary basis.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Sheriff of Limestone County shall be paid an annual salary of three thousand and six hundred dollars (\$3,600) and shall be furnished at the expense of the county a house in which to reside during his continuance in office, which salary and allowance shall be in lieu of all other compensation or remuneration for the performance of his duties, except allowances for feeding prisoners. The salary of the sheriff shall be paid in equal monthly installments from the general fund of the county.

Section 2. All fees, commissions, percentages, and allowances heretofore collectible for the use of the sheriff and his deputies shall be collected and paid into the general fund of the county.

Section 3. The sheriff may appoint a chief deputy and three other deputies, one of whom may be the jailer, whose salaries shall be fixed by the sheriff and be paid by the county in equal monthly installments as the salaries of county employees are paid. The annual salary of the chief deputy shall not be less than one thousand and eight hundred dollars (\$1,800) nor more than two thousand and four hundred dollars (\$2,400), and the annual salary of each other deputy shall not be more than one thousand and eight hundred dollars (\$1,800).

Section 4. Before entering upon the discharge of the duties of office the chief deputy shall give bond in the penal sum of two thousand dollars (\$2,000); and each other deputy shall give bond in the penal sum of one thousand dollars (\$1,000).

Section 5. The sheriff shall be provided two automobiles for use on official business and in connection with the performance of his duties. The original cost of such automobiles and the expense of operating them shall be paid by the county.

Section 6. The provisions of this Act are severable. If any part is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 7. All laws in conflict with this Act are repealed.

Section 8. This Act shall become effective upon the expiration of the term of office of the incumbent Sheriff of Limestone County.

ALABAMA COURIER

Established 1880

Limestone County's Oldest and Best-Read Newspaper
Phone 167 Steele McGrew, Editor-Owner Athens, Ala.
June 14, 1947

Limestone County Board of Revenue
City

Bills for change in legislation for Sheriff, 434 words, 4 t. 19.53

State of Alabama
Limestone County

Before me, the undersigned authority in and for said State and County, personally appeared Steele McGrew, who being by me first duly sworn, deposes and says that he is the Editor and Publisher of the Alabama Courier, a weekly newspaper of general circulation published in Limestone County, Alabama; that the above and foregoing notice was published once a week for four (4) consecutive weeks in said Alabama Courier, on to wit: May 22, May 29, June 5, and June 12, 1947, without cost to the State of Alabama.

STEELE MCGREW by ALDENA CHAPMAN.

Sworn to and subscribed to before me, this the 16 day of June, 1947.

(SEAL) Notary Public, Limestone County, Alabama.
HARRY TAFT,
J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

- S. 206. Local Legislation
- S. 210. Local Legislation
- S. 195. Local Legislation
- S. 203. Local Legislation
- S. 211. Local Legislation

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 203. To Amend Sections 1, 6, 8, 14 and 28 of An Act entitled An Act "To Establish a Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for its officers, their duties and powers and compensation; to provide for trial tax and other fees; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said court; to provide for an official court reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County", approved May 29, 1931.

Also:

H. 252. To alter, rearrange, and extend the boundary lines of the City of Andalusia in Covington County, Alabama.

Also:

H. 263. To provide for the appointment of a Deputy Register of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

Also:

H. 261. To amend an act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transac-

tion of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as last amended.

Also:

H. 259. To provide for the appointment of a Deputy Clerk of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

Also:

H. 291. To provide for the compensation of jurors in Tuscaloosa County, Alabama.

Also:

H. 300. To amend Section 1 of Act 124, Local Acts of 1935, Page 57, "To provide the Sheriff of Covington County, Alabama, an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy and to make the same payable in equal monthly installments from the General Funds of Covington County; to repeal 1931 Local Act and all other laws in conflict herewith."

Also:

H. 260. For the relief of John H. Green.

Also:

H. 305. To amend Section 2 of An Act entitled An Act to provide for the election of a County Superintendent of Education for Cleburne County, Alabama, by the qualified voters of Cleburne County, Alabama, at the General Election in 1928 and every four years thereafter, to prescribe his qualifications, fix his term of office, prescribe his duties, and to fix his salary and provide the manner of payment of same. Approved September 6th, 1927.

Also:

H. 307. To fix the Ex Officio fees of the Clerk of the Circuit Court of Talladega County, Alabama at the sum of \$1800.00 per year; to provide for the manner of payment of same; and to repeal all laws or parts of laws in conflict therewith.

Also:

H. 290. To provide for the compensation of election officers in Tuscaloosa County, Alabama.

Also:

H. 171. To provide for the appointment of a deputy clerk of the Circuit Court of Cullman County, Alabama; to prescribe the duties, powers and authority and fix the compensation and salary of such deputy clerk and to designate the method of payment and the fund from which said compensation and salary is payable. To

repeal all laws in conflict with the provisions of this Act; to provide that the partial invalidity of this Act shall not affect the remainder hereof; and to fix the time when this Act shall become effective.

Also:

H. 322. To repeal Act 627, approved July 10, 1940, entitled, "To prohibit the use of steel traps and similar devices in Lowndes County, Alabama, and prescribe punishment for violation of this act."

Also:

H. 278. To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama.

Also:

H. 262. To provide that justices of the peace and notaries public ex officio justices of the peace in Beat One in Morgan County, Alabama shall have territorial jurisdiction coextensive with the limits of Morgan County, Alabama.

J. E. Speight,
Secretary.

BILLS ON SECOND READING

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Mr. Gillis:

H. 463. To amend Section 18 of Title 32 of the Code of Alabama of 1940, as amended.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Stone, Sullivan, and Johnston:

H. 359. To amend Section 25, Title 25, Code of Alabama 1940.

By Messrs. Inzer, Taylor (Autauga), and Faulk:

H. 374. To prohibit the sale, offering or exposing for sale of fireworks; defining fireworks and to regulate the manner of using fireworks, and to provide penalties for the violation of the provisions of the Act.

By Mr. Harris:

H. 365. To provide that the writ of mandamus shall lie and shall be appropriate to review the action of any board, commission or public official in declining to approve any bond required by law to be approved.

By Mr. Pinkston:

H. 215. To Amend Section 665, Title 7, Code of Alabama of 1940.

By Mr. Pinkston:

H. 212. To Amend Section 669, Title 7, Code of Alabama of 1940.

By Mr. Beatty:

H. 411. To amend Section 747, Title 51, Article 9, Chapter 20, Code of Alabama 1940.

By Mr. Coleman:

S. 32. To amend Section 1 of Title 34 of the Code of Alabama of 1940, and to validate attempted marriages heretofore entered into by and between a man and the widow of his uncle where the parties are living together as husband and wife.

By Mr. Fite:

S. 166. To amend Section 167 of Title 7, of the 1940 Code of Alabama.

By Mr. Adams (Jefferson):

H. 431. To amend Section 22 of Title 34 of the 1940 Code, which relates to cruelty and nonsupport as grounds for divorce.

By Mr. Coleman:

S. 67. To amend Section 63 of Title 61 of the Code of Alabama of 1940, which relates to contesting wills in the Circuit Court.

By Mr. Harris:

H. 407. To amend Sections 35, and 43 of Title 31 of the Code of Alabama of 1940.

By Mr. Kaul:

H. 266. To establish a procedure for the resignation of trustees under an express trust and for the appointment of successor trustees for such express trusts and to provide for the removal of trustees of express trusts for cause.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

By Mr. Pinkston (with substitute):

H. 213. To Amend Section 365, Title 61, Code of Alabama of 1940.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House without recommendation:

By Mr. Woughty (without recommendation):

H. 448. To provide for and create the Alabama State Racing Commission for the regulation, licensing, and supervision of horse racing and wagering thereon; to prescribe its composition, appointment, powers and duties; to provide for the regulation and licensing of horse racing, horse race meetings and the wagering on the results thereof; to provide for and regulate the prai-mutuel or certificate method of wagering and bookmaking wagering within the enclosure of the licensed race tracks; and to provide certain penalties for the violation of this Act and for other purposes relative thereto.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Snodgrass and Wallace:

H. 66. To Amend Section 718, Title 51, Article 9, Chapter 20, Code of Alabama, 1940, as amended by Act No. 326, approved July 1, 1945, General Acts 1945, page 528.

By Messrs. Snodgrass and Wallace:

H. 70. To Amend Section 752 Of Title 51, Article 10, Chapter 20, Code of Alabama 1940, As Amended By Act No. 584, Approved July 10, 1943, and Reported in Acts 1943, Page 585.

By Messrs. Boutwell, Allen, Henderson, and Lowe:

S. 71. To repeal the Act entitled "An Act, To provide for the transfer of any surplus over and above \$1,750,000.00 in the State Treasury to the credit of the General Fund, after the payment of all appropriations now or hereafter made payable from said fund, for each of the fiscal years ending September 30, 1946, and September 30, 1947, to the Minimum Program Fund for expenditure during the fiscal year next succeeding the fsical year in which said surplus accrues, in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund.", approved June 12, 1945.

By Messrs. Thompson (Pike), Mathison, Bennett, and Vann:

H. 382. To provide for an alternate method of paying and collecting the stamp tax, tag tax or fee required by Title 2, Section 294, Code of Alabama 1940, on fertilizer, fertilizer material or chemical solid in this state; to authorize the Commissioner of Agriculture and Industries to grant permits on certain conditions to pay said tax on a monthly basis in lieu of using tax tags or stamps; to provide for the taxpayer to make monthly reports to the Commissioner, and keep records of fertilizer, fertilizer material or chemical solid; to provide that the said tax be paid monthly on a certain date and if not paid to provide for a penalty; to provide for the revocation of permits; to create a lien for the enforcement

of the payment of the tax; to provide that said tax shall accrue to the agricultural fund; and to provide that this act shall be supplementary to Article 16, Title 2, Code of Alabama 1940.

By Mr. Gillis:

H. 246. To amend Sections 17 and 19, Title 32, Code of Alabama of 1940, as amended.

By Messrs. Thompson (Pike), Mathison, Bennett, and Vann:

H. 383. To amend Title 2, Section 294, of the Code of Alabama of 1940; and to provide for the effective date of this act.

By Messrs. Thompson (Pike), Mathison, Bennett, and Vann:

H. 292. To amend Sections 57, 59 and 60 of Title 2 of the 1940 Code, which relate to regulation and taxation of commercial feeds.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with minority report:

By Messrs. Snodgrass, Larkins, O'Neal Roberts, and White (Covington) (with minority report):

H. 51. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

By Messrs. Busby, Shelton, Brown, Wallace, Larkins, Johnston, Gibson, Buckner, and McGowin (with amendment):

H. 79. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1948, and September 30, 1949, including all schools, agencies, services, and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama.

By Mr. Merrill (with amendment):

H. 371. To authorize cities and towns of Alabama to impose a reasonable license tax in an amount within its discretion on the operation of certain vending machines, including music vending machines, and to regulate and control the location and use of music vending machines by refusal or revocation of privilege license; and to repeal license tax limitation as to amount that a municipality may charge.

By Messrs. Haynes (Franklin) and Roberts (with amendment):

H. 187. To Amend Section 728, Title 51, Article 9, Chapter 20, Code of Alabama 1940.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

By Mr. Sullivan (with substitute):

H. 443. To amend Section 388 of Title 51 of the 1940 Code of Alabama, as amended by Act. No. 39, General Acts of 1945, page 45, approved May 28, 1945.

By Messrs. Snodgrass and Wallace (with substitute):

H. 69. To Amend Section 789 of Title 51, Article 11, Chapter 20, Code of Alabama 1940, As Amended by Act. No. 475, Approved July 10, 1943, And Reported In Acts 1943, Page 439.

By Messrs. Snodgrass and Wallace (with substitute):

H. 68. To Amend Section 755 of Title 51, Article 10, Chapter 20, Code of Alabama 1940, as amended by Act No. 471, Approved July 10, 1943, And Reported In Acts 1943, Page 435.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Malone:

H. 342. To amend Section 107, Title 17, Code of Alabama 1940, by designating the election officials who are authorized to render assistance to persons physically or otherwise incapacitated.

By Mr. Malone:

H. 410. To amend Sections 126 and 357 of Title 17 of the 1940 Code, which relate to watchers at the polls, their duties and privileges, by providing that watchers shall be permitted to witness any transaction in which an election official renders assistance to a voter.

By Mr. McGowin:

H. 423. To amend Section 365 of Title 17 of the 1940 Code of Alabama, which relates to certificates of results of primary elections.

By Mr. McGowin:

H. 424. To amend Section 139 of Title 17 of the 1940 Code of Alabama, which relates to the conduct of general elections.

By Mr. Malone:

H. 430. It shall be unlawful after the passage of this Act for any person receiving a salary or other regular compensation from the State, from any institution of the State, or from any public

agency created by the State or receiving funds from the State, in whole or in part, to directly or indirectly engage in any political campaign or in any political activity, except to privately express a political choice or a political opinion and to freely cast his ballot; to fix the penalty for any violation of the Provisions of the Act; to make the Provisions of this Act inapplicable to any candidate for or holder of any public office within the State or to present holders of any party office within the State; and to repeal all laws and parts of laws in conflict with the Provisions of the Act.

By Mr. Merrill:

H. 493. To provide that Judges of Probate are prohibited from causing the names of candidates for county offices to be printed on ballots in general elections under certain conditions; to provide those conditions; to provide a test for ascertaining the number of qualified electors in a county and the number of votes cast in any primary elections; to provide for exceptions to the provisions of the act and to provide for its becoming law.

Mr. White (Covington), Chairman of the Standing Committee on Education, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Messrs. Ganey and Leonard:

H. 449. To change the title of the Superintendent of Alabama Institute for Deaf and Blind from "Superintendent" of Alabama Institute for Deaf and Blind to "President" of Alabama Institute for Deaf and Blind; and to provide that such change in title shall not affect the authority, duties, compensation or term of office of such official.

Mr. White (Covington), Chairman of the Standing Committee on Education, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Mr. Haynes (Franklin) (with amendment):

H. 467. To require the county board of education to establish routes for school busses; to require the driver of a school bus to follow the established route; to prohibit school bus drivers from departing from the established route without written authorization of all members of the county board of education; to require school bus drivers to discharge elementary school pupils at the elementary school nearest the point at which said pupils board the school bus; to make any violation of this act, on the part of persons driving school busses, a misdemeanor; to provide for the effective date hereof.

Mr. Pinkston, Chairman of the Standing Committee on Business and Labor, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Mr. Meeks:

H. 198. To amend Section 29 of Title 10 of the Code of Alabama of 1940.

Mr. Davis, Chairman of the Standing Committee on Transportation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Messrs. Rogers, Ramey, Bush, Crocker, Knight, Martin, Mitchell, and O'Neal:

H. 301. To amend Section 80 of Title 36 of the 1940 Code, which relates to the operation of trailers on the highways.

Mr. Davis, Chairman of the Standing Committee on Transportation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. Sullivan, Johnston, and Stone (with amendment):

H. 444. To authorize the Department of State Docks and Terminals of Alabama, with the approval of the Governor, to expand the port facilities of the State of Alabama to meet the present and prospective needs of trade and commerce; to acquire and operate additional properties and facilities; to borrow money and to issue and sell bonds, notes or certificates referred to herein as revenue securities; to provide the purposes for which such money may be borrowed; to provide for the form, tenor, effect, interest rates and maturities and payment of such revenue securities; to provide that **such revenue securities shall not constitute indebtedness of the State of Alabama**, and shall not pledge the faith or credit of the State of Alabama; to provide that such Revenue Securities may be payable from the gross revenues of the unit or units or facility or facilities in whole or in part acquired with the proceeds of such Revenue Securities and out of the gross revenues of said Department, subject to sinking fund requirements, certain operating expenses and other valid commitments; to provide for and authorize the pledge of such revenues to such revenue securities and to provide for the order of payment and priorities of payment of such revenue securities out of such revenue; to authorize the publication of notice concerning the issuance of such revenue securities and limiting the time within which any action may be brought to set aside or contest the validity of any such revenue securities or any proceeding authorizing same or any contractual obligations incurred in connection therewith; to provide for the acceptance of grants and to contract with reference to such grants; to provide **for the funding or refunding of obligations of said department by the issuance of such revenue securities** and to provide the effective date of this Act and repeal all laws and parts of laws in conflict with the Act.

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said committee in session had acted

on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Brassell and Cole:

H. 484. To prescribe the limit of the Police Jurisdiction of and for the City of Phenix City, Alabama.

By Mr. Brassell:

H. 482. To Alter or rearrange the boundary lines of the City of Phenix City, Alabama, so as to include within the corporate limits of said City territory not already included therein.

By Mr. Harris:

H. 457. To amend Section 276 of Title 37 of the Code of Alabama, 1940, to permit the issuance of public improvement bonds for waterfront developments within or without the corporate limits.

By Mr. Harris:

H. 456. To authorize any incorporated city or town in Alabama to acquire, improve and develop waterfornt lands; to construct and operate landings, terminals, warehouses, and sites for commercial or industrial development thereon; to promote or provide rail connections for water-borne commerce and supply facilities for boats, barges, and their crews; to promote the water-borne commerce of the ctity or town; to finance such programs by various methods; to zone property within one-fourth miles of a water-course and within five miles of the corporate limits.

By Messrs. Adams (Jefferson), Beatty, Gibson, and Meeks:

H. 439. To require county and city license issuing officers to file monthly with the county tax assessor statements concerning licenses issued to engage in businesses, occupations, or vocations; prescribing a penalty for delay in filing such statements.

By Mr. Brannan:

H. 421. To amend Section 68 of Title 18 of the 1940 Code, which relates to official bonds of officers or employees of municipal electric utility boards.

By Mr. Brannan:

H. 420. To amend Section 415 of Title 37 of the 1940 Code, which relates to official bonds of municipal officers or employees.

By Messrs. Stone and Johnston:

H. 358. An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same.

By Messrs. Dumas, Beatty, Meeks, Sadler, and Gibson:

H. 354. To amend Sections 772 and 779, Title 37, Code of Alabama, 1940 to empower each municipal corporation in the State of Alabama to divide the territory within its police jurisdiction limits into business, industrial, and residential zones or districts.

By Mr. Benford:

H. 351. To provide that all persons who now, or who shall hereafter, hold the office of President of the Commission of any city or municipality within the State of Alabama shall also have and hold the honorary title of "Mayor" of such city or municipality.

By Messrs. Howell and Bennett:

H. 335. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

By Mr. McIlwain:

H. 245. To amend Sections 67 and 70 of Title 12 of the 1940 Code, which relate to county engineers.

By Messrs. Roberts, Miller, and Merrill:

H. 137. To authorize counties and municipalities to insure their employees against personal injury or death caused by accident or violence while discharging their duties as such employees.

By Mr. Mize:

S. 182. To authorize, empower and direct the Board of Revenue or other governing body of Tuscaloosa County to supplement the salary of the Circuit Judge of the Sixth Judicial Circuit of Alabama.

By Mr. Mize:

S. 156. To authorize circuit judges of judicial circuits composed of one county having but one circuit judge to appoint regular bailiffs and fix their terms of office and salaries.

By Mr. Lowe:

S. 7. To amend Section 72 of Title 18, Code of Alabama 1940.

Mr. Wood (Washington), Chairman of the Standing Committee on Conservation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Mr. Adams (Jefferson):

H. 434. To Amend Section 29 of Title 8 of the Code of Alabama of 1940.

Mr. Wood (Washington), Chairman of the Standing Committee on Conservation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

By Messrs. Stone, Sullivan, and Johnston (with substitute):

H. 100. To amend Section 73, Title 8 (as amended by Act Number 556, General Acts, 1943, page 543, approved July 10th, 1943), of the Alabama Code of 1940; relating to the use of nets, seines or traps on streams emptying into salt waters of State.

By Messrs. Adams (Jefferson) and McDanal (with substitute):

H. 265. To prohibit shooting, trapping, snaring, or capturing or attempting to shoot, trap, snare, or capture racoons north of United States highway number eighty in the State and to provide penalties for violation of this Act.

Mr. Wood (Washington), Chairman of the Standing Committee on Conservation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Mr. McDanal (with amendment):

H. 451. To Amend Section 87 of Title 8 of the Code of Alabama of 1940.

Mr. Wood (Washington), Chairman of the Standing Committee on Conservation, reported that said committee in session had acted on the following bill and ordered same returned to the House without recommendation:

By Mr. Harris (without recommendation):

H. 304. To repeal Act 263, approved July 7, 1945, which provides for and regulates the use of commercial fishing gear in certain public fresh waters of the State.

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Allen:

S. 191. To amend Section 3 of an act entitled "An Act to fix the compensation or salary to be paid the Judge of Probate of Etowah County, Alabama, and to regulate the payment of the same; to provide for the compensation of clerks, deputies, clerical assistants and other expenses in the Probate Office of Etowah County, Alabama, and to require said Judge of Probate to collect all the fees, compensation and allowances heretofore or hereafter collected by said Judge of Probate, and to pay same into the County Treasury of Etowah County; to provide for the payment of the salary or compensation of said Judge of Probate and the clerks, deputies and other clerical assistants, and other office expenses, out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Judge of Probate, and to prescribe when this Act shall go into effect." enacted by the 1943 Legislature of Alabama, approved

June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 73 and 74, as Local Act. No. 137.

By Mr. Richardson:

H. 472. To provide for the appointment of a deputy clerk of the Circuit Court of Lawrence County, Alabama and to prescribe the duties and fix the compensation of such deputy.

By Mr. Lovelace:

H. 464. To authorize and empower the Clerk of the Circuit Court of Escambia County, Alabama, to act as magistrate in taking affidavits for warrants for the arrest of persons charged with crimes in that county and to issue warrants of arrest based thereon, such warrants of arrest to be returnable to the Courts in said County having jurisdiction of the offense; to fix the fees for taking such affidavits, issuing such warrants and acting as such magistrate, and to provide that the same shall be taxed and collected as part of the costs in the case.

By Messrs. Sullivan, Johnston, and Stone:

H. 479. For the relief of Mrs. Clifford Horn, of Bayou La Batre, Mobile County, Alabama, and to authorize the Board of Revenue and Road Commissioners of Mobile County, Alabama, to compensate the said Mrs. Clifford Horn for damages suffered by her when she was permanently injured as a result of her automobile falling into a washed out bridge between Bayou La Batre and Grand Bay, both in Mobile County, Alabama, on the night of, to-wit, March 29th, 1946, breaking her leg, bruising her knee and left leg, lacerating her hip and chin, and causing her to be put to great expense in and about her treatment.

By Mr. Dyar:

H. 478. To allow members of the County Board of Education of Marion County pay not more than 24 days in one year, payable from the General School Funds of Marion County, Alabama.

By Mr. Dyar:

H. 477. To amend Section V of an Act entitled "To provide for an election of a County Superintendent of Education for Marion County, Alabama, to fix his term of office to provide for filling vacancies therein, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, and to provide for his successor in office.

By Mr. Bush:

H. 475. To amend Section 1 of an act entitled "An Act to authorize the Board of Revenue of Macon County, Alabama, to provide for an additional Deputy Sheriff; to provide the manner and method of his appointment and to fix his salary and make provisions for payment of same; and prescribe his duties," approved June 22, 1943.

By Mr. Bush:

H. 474. To amend Section 1 of an act entitled "An Act to prescribe the salary and manner of payment of the same, of the Chief Deputy Sheriff of Macon County, Alabama," approved June 22, 1943.

By Mr. Richardson:

H. 473. To amend Section 3 of Act. No. 18, Local Acts of 1898-99, approved December 1, 1898, and to amend Section 5 of said Act, which said Section 5 was amended by an Act approved 6th. day of September, 1927, and further amended by an Act approved October 25, 1932; which said Act establishes a Court of County Revenue for Lawrence County, Alabama, and defines its duties and powers.

By Messrs. Snodgrass and O'Neal:

H. 468. To create a Purchasing Agency for Jackson County, Alabama, to be composed of the Chairman of the Board of Revenue of said County, whose duties shall be to purchase for the county offices and every department of the county all personal property including books, stationery, blanks, office equipment and office supplies, printing and printed matter, forms machinery of all and every kind, including tractors and trucks, all tools and material, gas, oil, tires, lubricants and fuel, and all other material and supplies for the construction and maintenance of the roads, bridges and ferries, and all material and supplies for the Court House, jails and other county buildings of said county; to define the powers and duties, term of office and compensation of said Purchasing Agency; to provide for the employment of clerical assistance necessary to keep records of said Purchasing Agency and Board of Revenue; to provide for the performance of said duties in the event of a vacancy; to provide that if any paragraph, clause or part be held invalid, it shall not affect the validity of any other part of said Act and to repeal all laws in conflict with the provisions of said Act.

By Messrs. Snodgrass and O'Neal:

H. 470. To create the office of County Road Engineer of Jackson County, Alabama; to provide for his election or appointment, term of office, discharge, and removal; to fix his qualifications and to prescribe his duties, power and authority; to fix his compensation and manner of payment; to make appropriations or allowances for his expenses and manner of payment; to fix his bond, provide for the approval of the same and for the payment of the premiums thereon; to provide for the holding over of the present County Engineer; to provide for the fixing of scales of wages and salaries; to prohibit the employment of certain persons and to fix penalties for violation of the terms of this Act; to designate the Engineer as the person authorized to make requisition for road supplies and equipment; to provide for setting aside of road

funds by Board of Revenue and for expenditure of same; to provide for emergencies; to provide when this Act shall take effect; to provide that the invalidity of any part of this Act shall not affect the remainder of said Act; to repeal all laws or parts of law in conflict with said Act.

By Messrs. Snodgrass and O'Neal:

H. 469. To create and establish and to define the duties and powers of a Board of Revenue for Jackson County, Alabama; to abolish the Court of County Commissioners of said County; to repeal an Act approved the 6th day of July, 1945, entitled "An Act to create and establish and to define the duties and powers of a Board of Revenue in and for Jackson County"; to designate the members of said Board to serve until the first Monday after the second Tuesday of January, 1949, and to fix their compensation; for the purpose of future elections to divide said County into four districts; to provide for the nomination and election of members of said Board to serve after the first Monday after the second Tuesday in January, 1949; to provide for the place of residence of the members of said Board; to provide for the filling of vacancies and to provide compensation of the Chairman and members to be elected in 1948; to provide for the oath of office and execution of bond and for the time and place of meeting of said Board; to define a quorum of said Board; to further designate the duties of the Chairman; to provide for the employment of a Clerk, fix his compensation and duties; to repeal all laws in conflict with this Act; to provide that if any part of said Act be unconstitutional it shall not affect any other part; and to provide for the effective date of said Act.

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Bennett (with notice and proof):

H. 498. To Place the Sheriff of Calhoun County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Calhoun County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Calhoun County, Alabama, of all fees, fines and forfeitures collected by said officer;

and to provide for the necessary equipment and supplies for said officer.

Local Legislation.

Notice and Proof H. 498:

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING BILL WILL BE INTRODUCED IN THE PRESENT 1947 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA:

A BILL
TO BE ENTITLED
AN ACT

To place the Sheriff of Calhoun County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Calhoun County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Calhoun County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the salary or compensation of the Sheriff of Calhoun County, Alabama, shall be Six Thousand Dollars (\$6,000.00) per annum, and the said Six Thousand Dollars (\$6,000.00) annual salary or compensation shall be paid out of the County Treasury of Calhoun County, Alabama, in equal monthly installments at the end of each month upon warrants drawn in the same manner as other officers and employees of Calhoun County, Alabama.

Section 2. That when this Act goes into effect said Sheriff of Calhoun County shall continue to collect all charges, fees, compensation and allowances heretofore or hereafter authroized to be collected by him, including all monies for feeding prisoners, and shall during the last five (5) days of each calendar month pay into the County Treasury of Calhoun County, Alabama all such monies received or collected by him during the month, or part thereof next preceding the date of such settlement or payment.

Section 3. The Sheriff of Calhoun County, Alabama, may, after the effective date of this Act, employ the following assistants at the following rate of compensation: (1) Chief Deputy Sheriff, to receive Three Thousand Dollars (\$3,000.00) per annum; One (1) Civil and Criminal Deputy Sheriff, to receive Twenty Four Hundred Dollars (\$2,400.00) per annum; Three (3) Civil and Criminal Deputy Sheriffs, to receive Eighteen Hundred Dollars (\$1,800.00) per annum each; One (1) Bookkeeper and office employee to receive Eighteen Hundred Dollars (\$1,800.00) per annum; Three (3) Jailers to receive Twelve Hundred Dollars (\$1,200.00) per annum each; One (1) Cook to receive Seven Hundred Twenty Dollars (\$720.00 per annum. Each of the foregoing assistants shall receive their compensation in equal monthly installments upon warrants drawn in the same manner as other employees of Calhoun County, Alabama.

Section 4. The governing body of Calhoun County, Alabama, shall supply to the Sheriff of Calhoun County, Alabama all necessary equipment and supplies, including four (4) automobiles and motor fuel for the operation of said automobiles, and accessories, upon the written requisition of said officer.

Section 5. All laws, or parts of laws, both general and local, as applied to Calhoun County, Alabama, in conflict with the provisions of this Act, be, and the same are hereby repealed.

Section 6. The provisions of this Act shall take effect on the first day of October next succeeding its passage and approval by the Governor, and that all laws or parts of laws in conflict herewith are hereby repealed, insofar as they apply to Calhoun County, Alabama. May 28; June 4-11-18

THE ANNISTON STAR
Anniston, Ala.

Personally appeared before me Ralph W. Callahan, who, being duly sworn, makes oath that he is Business Manager of The Anniston Star, a daily newspaper published in Anniston, Alabama, and that the attached notice was published on the following dates: May 28; June 4, 11 and 18.

RALPH W. CALLAHAN.

Sworn to and subscribed before me this 24 day of June 1947

CLARA B. WRIGHT,

(SEAL)

Notary Public.

By Mr. Bennett (with notice and proof):

H. 499. To create a Purchasing Agent for Calhoun County, Alabama, to be composed of the Chariman of the Calhoun County Commission of said County, whose duty shall be to purchase books, stationery, blanks, machinery, supplies, materials, appliances and equipment for the several county offices, jails, court houses and other public buildings of said county under the supervision and control of the Calhoun County Commission; also the public roads and bridges of said County, and to define the powers and duties of said Purchasing Agent, and to fix his salary.

Local Legislation.

Notice and Proof H. 499:

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING BILL WILL BE INTRODUCED IN THE PRESENT 1947 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA:

A BILL
TO BE ENTITLED
AN ACT

TO create a Purchasing Agent for Calhoun County, Alabama, to be composed of the Chairman of the Calhoun County Commission of said County, whose duty shall be to purchase books, stationery, blanks, machinery, supplies, materials, appliances and equipment for the several county officers, jails, court houses and other public buildings of said county under the supervision and control of the Calhoun County Commission; also the public roads and bridges of said County, and to define the powers and duties of said Purchasing Agent, and to fix his salary.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That there be and there is hereby created a Purchasing Agent for Calhoun County, Alabama, consisting of the Chairman of the County Commission of Calhoun County, Alabama. The duties of said Pur-

chasing Agent shall be to purchase for the county officials, the county offices, and every department of the county, all books, stationery, supplies, office equipment, printing and printed matter, blanks, forms, machinery, equipment, including road equipment, and machinery, tools and material and supplies for the court houses, jails, and bridges, and that it shall be the duty of said Purchasing Agent to purchase the same at the best prices obtainable, receiving competitive bids therefor when practicable.

Section 2. That such books, stationery, supplies, office equipment, printing and printing matter, blanks, forms, machinery, equipment, including road equipment and machinery, tools and material, and material and supplies for the court houses, jails and bridges, shall be furnished only upon written requisition setting forth the articles needed and signed by the officer for whose office said articles are requested, and thereupon said Purchasing Agent shall make inquiry and ascertain whether the articles are necessary before purchasing the same, and all invoices of such purchases, with said requisition attached, shall be kept on file in the office of the Chairman of the County Commission of said County, in alphabetical order as a permanent record subject to inspection by the public at all reasonable times.

Section 3. That the term of office of the Chairman of the Calhoun County Commission as such Purchasing Agent, shall be the same as his term of office as Chairman of the Calhoun County Commission. He shall receive as compensation for his services an annual salary of \$1800.00, payable in twelve monthly installments of \$150.00. Said salary shall be payable out of the county treasury of said county, as provided by law for the payment of salaries out of the funds of said county.

Section 4. Calhoun County Commission of said County shall require the officers so obtaining such articles to be responsible for the same and to deliver the unused portion thereof to their successors in office.

Section 5. All laws or parts of laws in conflict herewith are hereby repealed, insofar as they apply to Calhoun County, Alabama.

Section 6. The provisions of this Act shall take effect immediately upon its passage and approval by the Governor.

May 28; June 4-11-18

THE ANNISTON STAR Anniston, Ala.

Personally appeared before me Ralph W. Callahan, who, being duly sworn, makes oath that he is Business Manager of The Anniston Star, a daily newspaper published in Anniston, Ala., and that the attached notice was published on the following dates: May 28; June 4, 11 and 18.

RALPH W. CALLAHAN.

Sworn to and subscribed before me this 24 day of June 1947

CLARA B. WRIGHT,

(SEAL)

Notary Public.

By Mr. Bennett (with notice and proof):

H. 500. To Provide for a Deputy Clerk of the Circuit Court of Calhoun County, and to fix his powers, duties and compensation.

Local Legislation.

Notice and Proof H. 500:

NOTICE

Notice is hereby given of intention to apply to the present session of the Legislature for the passage of an act in sustenance as follows, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for a Deputy Clerk of the Circuit Court of Calhoun County and to fix his powers, duties and compensation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That the Clerk of the Circuit Court of Calhoun County be, and he is hereby authorized to employ a deputy clerk, and said deputy clerk is given the same rights, duties and powers as those possessed by the Circuit Clerk.

SECTION TWO. The salary of the said Deputy Clerk shall be \$175.00 per month, payable out of the county treasury of Calhoun County.

SECTION THREE: This Act shall take effect upon its passage and approval by the Governor, and shall terminate at the end of the present term of office of the Clerk of the Circuit Court of Calhoun County.

June 2, 9, 16 & 23

THE ANNISTON STAR
Anniston, Ala.

Personally appeared before me Ralph W. Callahan, who, being duly sworn, makes oath that he is Business Manager of The Anniston Star, a daily newspaper published in Anniston, Ala., and that the attached notice was published on the following dates: June 2, 9, 16 and 23.

RALPH W. CALLAHAN.

Sworn to and subscribed before me this 24 day of June 1947

CLARA B. WRIGHT,
Notary Public.

(SEAL)

By Mr. McGowin:

H. 501. To amend Sections 194 and 221 of Title 26, 1940 Code of Alabama; to amend Section 191, 214 and 248 of Title 26 of the Code of Alabama 1940, as amended by Act Number 310 of the 1943 Legislature; to amend Sections 185, 204 and 213 of Title 26 of the Code of Alabama 1940, as amended by Act Number 310 of the 1943 Legislature and further amended by Act Number 283 of the 1945 Legislature; to amend Section 197, Title 26 of the Code of Alabama 1940, as amended by Act Number 283 of the 1945 Legislature; to repeal Section 210 of Title 26 of the 1940 Code and Section 213 of Title 26 of the 1940 Code as amended by Act Number 310 of the 1943 Legislature; and to repeal all laws or parts thereof in conflict herewith; (Relating to Unemployment Compensation).

Business and Labor.

By Mr. Wallace:

H. 502. To provide for the payment of burial expenses of indigent veterans of World War II, and to make an appropriation therefor.

Ways and Means.

By Mr. Tucker:

H. 503. To provide for and require physical examinations for all persons residing in Alabama, making an appropriation to carry out the terms of the Act, providing penalties for violations thereof.

Ways and Means.

By Mr. Evans:

H. 504. Exempting from ad valorem taxation all non-producing interests upon oil, gas and other minerals, as herein defined, and also non-producing severed mineral and royalty interests therein, hereinafter created or transferred or hereafter registered, and also levying a county mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interests in non-producing oil, gas or other minerals, as herein defined.

Ways and Means.

By Messrs. Miller and Inzer:

H. 505. To amend Section 693 of Title 51 of the 1940 Code, which relates to license and registration fees for automobiles and motor cars kept for private use.

Ways and Means.

By Mr. Miller:

H. 506. To provide for a board of trustees for the Alabama School of Trades, to define its duties, to limit the expenditures for such board, and to repeal Section 446, Title 52, Code of Alabama 1940.

Education.

By Messrs. Miller and Harris:

H. 507. To make the statements of one purporting to be an agent prima facie evidence of agency and admissible against the principal.

Judiciary.

By Mr. Roberts:

H. 508. To authorize the incorporation with respect to the several cities and towns in this state of public corporations for the purpose of owning and operating and contracting with others for the operation of athletic and recreational facilities; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporations, including the power of eminent domain and the power to issue revenue bonds and negotiable notes and to make mortgages as security for any thereof; to provide that any revenue bonds issued by such corporations shall be payable solely from the revenues derived from any such properties owned by them; to authorize the refunding of any such bonds; to provide that all bonds of such corporations shall be negotiable instruments; to provide that no such mortgages

may be foreclosed but to authorize the appointment of receivers upon default therein; to exempt from taxation such corporations and their properties and income and their bonds and the income therefrom; to provide that such municipalities shall not be liable for any obligations or agreements of such corporations; to authorize the municipalities with respect to which such corporations are organized to convey to such corporations any properties of such municipalities acquired or used for like athletic and recreational purposes; to authorize such corporations and municipalities to contract with each other respecting any properties so conveyed; to provide that upon payment of all their bonds such corporation shall be dissolved and title to their properties shall vest in the municipalities with respect to which they are organized; to provide for the filing of the certificates of incorporation, of deeds to such corporations and of their mortgages and certificates of dissolution without the payment of any taxes; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Local Government.

By Mr. Roberts:

H. 509. To amend Chapter 9, Title 15, Code of Alabama 1940 relating to Bail.

Judiciary.

By Mr. Roberts:

H. 510. To amend Section 743, 744 and 745 of Title 37, Code of Alabama 1940, relating to privilege or license tax of certain utilities.

Ways and Means.

By Mr. Haynes (Franklin):

H. 511. To provide that all household and kitchen furniture and all electrical equipment and electrical appliances such as stoves, refrigerators, radios, irons, heaters, water heaters, washing machines, pumps, churns and fans in actual use by the family in the home of every resident of Alabama shall be exempt from all ad valorem taxes of the State, Counties and municipalities, and shall not be assessed for taxes by the owner thereof, and to provide that nothing herein contained shall be construed as to exempt from such ad valorem taxes any of such personal property in use in hotels, cafes, furnished apartment houses, furnished rooming houses or other businesses being operated for a profit. Also, to provide the date this Act shall become effective.

Ways and Means.

By Messrs. Meeks, Beatty, Sadler, Dumas, Gibson, Adams (Jefferson), Kaul (with notice and proof):

H. 512. To amend Local Act No. 334 of the 1945 regular session of the Legislature of Alabama (Local Acts 1945, page 144, et

sequitur), and to give retrospective operation to one or more amendments.

Local Legislation.

Notice and Proof H. 512.

NOTICE

NOTICE is hereby given, without cost to the state, by publication in Jefferson County, Alabama, where the matter or thing to be affected is situated of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

A BILL
TO BE ENTITLED

AN ACT to amend Local Act No. 334 of the 1945 regular session of the Legislature of Alabama (Local Acts 1945, page 144, et sequitur), and to give retrospective operation to one or more amendments.

Be it Enacted by the Legislature of Alabama:

Section 1. That Local Act No. 334 of the 1945 regular session of the Legislature of Alabama (Local Acts 1945, page 144, et sequitur) be, and the same hereby is, amended so as to read as follows:

Section 1. Repeal. Subject to the provisos of Section 2 of this Act, No. 24 of the extra session of the Legislature of 1936-1937, approved January 26, 1937 (Acts of 1936-1937, page 20), and Act No. 512 of the regular session of the Legislature of 1939, approved September 21, 1939 (Acts 1939, page 795), and Subdivision 10 of Article 16 of Chapter 4 of Title 62 of the 1940 Code of Alabama (Title 62, page 322) are hereby expressly retrospectively repealed as of the respective effective dates thereof, and Sections 3 to 25, both inclusive, of this act retrospectively substituted in lieu of said repealed statutes as provided in Section 2.

Section 2. Substitution; Retrospective Operation. The sections of this act numbered consecutively from 3 to 25, both inclusive, comprise a system to be known as City of Birmingham Retirement and Relief System and otherwise hereinafter as "the system", and said sections 3 to 25, both inclusive, comprising the system, are hereby retrospectively and prospectively substituted in lieu of the statutes described in Section 1 and, subject to the provisos hereinafter in this section contained, shall be read, construed and have retrospective operation and effect as though enacted on the 26th day of January, 1937, and as though none of the statutes described in Section 1 had ever existed. Consistently, and subject to said provisos, every act, proceeding and transaction heretofore had, done, accomplished or attempted under any statute described in Section 1 shall be construed and deemed an act had, done, accomplished or attempted under the system, and the validity and effect thereof so measured and governed, and, without limiting the generality of the foregoing, but still subject to said provisos, every contribution, return of contribution, refund, loan, investment, receipt, disbursement, debt, liability, contract, transaction and business to, from, of, with or affecting the pension and relief fund under any statute described in Section 1 shall be construed and deemed as a contribution, return of contribution, refund, loan, investment, receipt, disbursement, debt, liability, contract, transaction or business to, from, of, with or affecting the retirement and relief fund under the system. The foregoing provisions of this section and of Section 1 shall be subject to the following provisos: (a). Any sentence of the system which contains the phrase "September 19, 1939" shall be read, construed and have operation

and effect as though enacted for the first time on September 19, 1939. (b). Any sentence of the system which contains the phrase "July 1, 1945" shall be read, construed and have operation and effect as though enacted for the first time at July 1, 1945. (c). The legal effect of any payment heretofore made by any pension and relief or retirement and relief and referred to in this act shall be measured by the law as it actually existed at the time of such payment, and any debt or liability, whether for return of contributions or otherwise, discharged by any such payment shall not be revived by anything contained in the system and shall not constitute the basis of any claim under the system against the retirement and relief fund provided for in this act. (d) The rights of any person who at July 1, 1945, is on the disability roll under any statute described in Section 1 of this act shall continue to be measured and governed by the provisions of such statute, and not by any provision of the system, until he may return to active duty for the City of Birmingham, and the retirement and relief fund provided as a part of the system shall secure such rights. In the event any person referred to in this proviso shall return to such active duty after July 1, 1945, his rights with respect to any subsequent disability, though arising from the same cause as his former disability, shall be measured and governed by the provisions of the system. For the purpose of this proviso, any employee of Jefferson County Board of Health on said roll at any time prior to July 1, 1945, shall be deemed, constructively, an employee of City of Birmingham during all his time in the service of said Board of Health. (e). The rights of any person who may have retired from the service of City of Birmingham, either voluntarily or involuntarily, after September 1, 1939, and prior to July 1, 1945, and who may have been heretofore allowed retirement benefits under the statutes actually in existence at the time of such retirement shall, during continuance of such retirement, continue to be measured and governed by the terms of the statute so in existence at the time of such retirement and not by any provision of the system, and should such person die during continuance of such retirement the rights of any widow of such person shall be measured and governed by the terms of the statute or of the system in effect at the time of death of such person, and the retirement and relief fund provided as a part of the system shall secure such rights of such person and such widow. (f). The rights of any person who may have become separated from the service prior to July 1, 1945, and who is not an employee member at or after July 1, 1945, and the rights of any privies of such person, except as otherwise provided in proviso (e) of this section, shall be measured and governed by the statutes in existence at the time of such separation and not by any provision of the system.

Section 3. Purpose of the System. The general purpose of the system embraced in Sections 3 to 25, both inclusive, of this act is the governmental one of promoting efficiency of employees in the service by partially relieving their minds of harassing fear of the consequences of loss of employment through disability, old age and otherwise and by furnishing trained employees a partial incentive to remain in the service during their years of presumptively increasing efficiency and a partial incentive to voluntarily retire and be replaced during their years of presumptively declining efficiency.

Section 4. Definitions. The following words, terms and phrases, wherever used in this act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended. "City of Birmingham Retirement and Relief System." The system provided by, and comprised within, Sections 3 to 25, both inclusive, of this act. "The system". City of Birmingham Retirement and Relief System. "The City". City of Birmingham, a municipal corporation. "The fund." The retirement and relief fund provided for as a part of the system, and shall include assets in the form of money and in other forms. "Employee". A human being between whom and the City there exists the technical relationship of employer and employee, whether such person be employed through the principal governing body of the City or through a subsidiary body such as a park board or library board. "Qualified employee." An employee of the City other than (1) an officer elected by the people or (2) a common laborer or (3) an employee

whose employment affirmatively contemplates actual active duty or service for the City upon less than sixteen days per calendar month regularly or (4) a member of a board such as a library, park or zoning adjustment whose employment contemplates actual active duty or service for the City upon intermittent business days regularly and not upon successive business days regularly. "Employee member." A person who is simultaneously a qualified employee and a member of the system. "In the service." In the service of the City. A person shall be deemed in the service of the City while the technical relationship of employer and employee subsists between him and the City. "In the classified service." In the classified service as defined in any civil service statute or rule now or hereafter applicable to the City. "Salary". Money remuneration of a qualified employee for time in the service. "Payroll period." A period of time for which a payment of salary is ordinarily made to or for or to and for a qualified employee. "Earnable daily rate." The monthly rate of money compensation of a qualified employee as fixed by the governing body of the City or other authorized public authority, divided by thirty. "Salary days." Such number of days of a payroll period as equals the actual amount of salary paid to or for or to and for a qualified employee for time in the service in such payroll period, divided by the daily earnable rate of such qualified employee for such payroll period. "Paid membership time." The aggregate of salary days of an employee member from the salary for which deduction is made for the fund. Three hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time. "Prior service time." Time of a qualified employee in the service prior to September 1, 1937, except time in the service prior to September 1, 1937, for which the employee may have received no service pay from the City. "Creditable time." The creditable time of an employee member who may be such employee member on September 1, 1937, or within six months thereafter, shall include all his prior service time as a qualified employee and all his paid membership time, and the creditable time of any other employee member shall include only his paid membership time. "Final Average Salary". The final average salary of any employee for purposes of computation of retirement or disability allowance shall be the total amount of his salary for such period of five years of consecutive creditable time as may be most favorable to him, divided by sixty; provided, however, that if because of fault, misconduct or inefficiency upon his part, an employee shall have been demoted more than five years prior to date of his retirement or date of commencement of his disability, as the case may be, such most favorable period shall be subsequent to date of demotion, and provided, further that if an employee shall have been demoted for such cause within five years of date of his retirement or date of commencement of his disability, as the case may be, or if he do not have five years of consecutive creditable time, his final average salary shall be the total amount of his salary for the five years of his creditable time next preceding date of his retirement or date of commencement of his disability, the case may be divided by sixty. "Beneficiary." One in whose favor monetary liability against the fund is accruing on account of retirement, widowhood or disability. "Severance nominee." One designated as such under Section 17 of this act.

"The Board". The Board of Managers provided for in the system. "The City Comptroller." The employee of the city whose duties are those of treasurer or chief financial employee. "The custodian." The custodian of the fund. "The personnel board." The board of control of any civil service system provided for the City by Statute, or, if at any time there be no such board of control, the principal governing body of the City. "The personnel director." The personnel director provided for the City by statute, or, if there be no such personnel director, the city clerk, the custodian or another as the Board may determine. "Gender". The masculine gender shall include the feminine.

Section 5. Classified Service Membership. Every qualified employee in the service in the classified service on or after or on and after September 1, 1937, including every qualified employee in the service of the police and fire departments in the classified service and not hereinafter in this section

excepted, shall be deemed, mandatorily, a member of the system during all his time in the service in the classified service as a qualified employee, except that no member of the policemen's pension and relief plan provided by Act No. 502 of the 1923 session of the Legislature (Acts 1923, page 663), as the same may have been, or may be, amended or codified, and no member of the firemen's pension and relief plan provided by Act No. 389 of the 1935 session of the Legislature (Acts 1935, page 847), as the same may have been, or may be, amended or codified, shall be a member of the system.

Section 6. Same. No person who may enter the service on or after September 19, 1939, whether in the police or fire department or not, shall become a member of the aforesaid policemen's pension and relief plan or of the aforesaid firemen's pension and relief plan, but shall become a member of the system if a qualified employee in the classified service, provided, however, that in the event of reentry into the service of the police department of a former member of said policemen's plan he shall again become a member of said policemen's plan if otherwise eligible for membership therein, and that in the event of reentry into the service of the fire department of a former member of said firemen's plan he shall again become a member of said firemen's plan if otherwise eligible for membership therein. In the event any member of such policemen's plan or firemen's plan be transferred within the service to a department other than the police or fire department he shall become a member of the system, and all his contributions to such policemen's or firemen's plan after September 1, 1937, plus matching contributions of the City, shall be transferred to the fund of the system.

Section 7. Unclassified Service Membership. Every qualified employee in the service in the unclassified service on September 1, 1937, may elect within fifteen days after September 1, 1937, to become a member of the system, and in the event of such election within said fifteen days, the elector shall become an employee member as of September 1, 1937. It shall be sufficient evidence of such election that proper deduction be made for the fund from the salary of the qualified employee for the payroll period which includes September 1, 1937, without written protest from the qualified employee to the city comptroller within thirty days from expiration of such payroll period, and it shall be conclusive evidence of nonelection if no such deduction be made for such payroll period and the employee do not protest in writing to the city comptroller against absence of such deduction within thirty days after expiration of such payroll period. Any such employee who may become a member of the system by election under this section may, by election, withdraw from membership while remaining in the service at any time before entry into the classified service. Such election to withdraw shall be made known to the custodian, and the withdrawing elector shall cease to be a member of the system at the end of the payroll period in which such election is made known to the custodian, and, upon such election to withdraw and cessation of membership, he shall be entitled to return from the fund of all sums deducted from his salary and paid into the fund as contributions, without interest, less any amount theretofore paid him as disability relief benefits. Acceptance of return of contributions while remaining in the service shall be conclusive evidence of election to withdraw from membership. Any employee member who shall withdraw from membership under this section while remaining in the service shall not have an option to reenter the system, and should he thereafter reenter the system by virtue of Section 5 of the system he shall not be entitled to count as creditable time any time subsequent to September 1, 1937, and prior to such reentry. For the purpose of election under the preceding provisions of this section, qualified employees of the Jefferson County Board of Health at September 1, 1937, shall be deemed, constructively, qualified employees of the City at September 1, 1937, in the unclassified service, and any such constructive employee of the City at September 1, 1937, may elect at any time within fifteen days after September 1, 1937, to become a member of the system under said preceding provisions. Any such constructive employee of the City who may so elect shall be deemed, constructively, an employee of the City, and said Board of Health a subsidiary board or department of the City, during all the time, past or

future, during which he may have been, or may be, an employee of said Board of Health, and all the retrospective and prospective terms of the system shall apply to him as fully and restrictively and with like effect as though he were actually an employee, and said Board of Health actually a subsidiary board or department, of the City during all such time. After July 1, 1945, it shall be the duty of said Board of Health, as an independent agency, and not as a subsidiary board or department of the City, to make deductions for the fund, and make matching and other contributions to the fund, in respect of every such constructive employee of the City, for and during all his time of membership in the system after July 1, 1945, in all respects as it is made the duty of the City to make deductions and matching and other contributions in respect of its true employees.

Section 8. Transfers between Classified and Unclassified Service. (a) Any person who may at any time enter or be a member of the system by virtue (among other things) of being in the classified service shall remain a member of the system so long as he shall remain in the service as a qualified employee, notwithstanding he may cease to be in the classified service, provided, however, that any such person who may cease to be in the classified service may file a written declaration with the city comptroller that he elects to withdraw from membership, and, upon the filing of such declaration, he shall cease to be a member of the system. (b) Any employee member who, while a member of the system by election under Section 7, is transferred from the unclassified service to the classified service as a qualified employee, shall lose any option to withdraw from membership, and shall remain a member of the system in all respects as though he had originally entered the system by virtue of Section 5. (c) Any employee in the unclassified service who, while not a member of the system, is transferred from the unclassified service to the classified service as a qualified employee and becomes an employee member by virtue of Section 5 shall not be entitled to count as creditable time any time subsequent to September 1, 1937, and prior to thus becoming an employee member.

Section 9. Retirement and Relief Fund. At the end of each pay-roll period within the first twelve months after August 31, 1937, the City shall deduct from the salary of each employee member for such pay-roll period an amount equal to three per centum (3%) of his salary for such pay-roll period, and at the end of each pay-roll period after said twelve calendar months the City shall deduct from the salary of each employee member an amount equal to six per centum (6%) of his salary for such pay-roll period, provided, however, that, for the purpose of such deductions, no employee shall be deemed to earn, or to have earned, salary at a rate in excess of three hundred dollars (\$300.00) per month. The proviso of the next preceding sentence, hereinafter referred to as the "three hundred dollar proviso", shall not have any past or future application to any employee member who shall, or shall have, become subject to the four hundred dollar limitation under or in accordance with the provisions of sub-division (a) or subdivision (b) of this section next following. (a). For the purpose of deductions from salary, an employee member who shall be, or shall have been, an employee member at July 1, 1947, and who shall not elect, or shall not have elected, in the manner and within the time hereinafter provided, to remain subject to said three hundred dollar proviso, shall be deemed to earn, or to have earned, at all past and future times, salary at his actual rate of salary, but in no event at a rate in excess of four hundred dollars (\$400) per month. The amount of any deficiency of deductions from the salary of any employee member for the period from September 1, 1937, to September 1, 1947, resulting from operation of the next preceding sentence, shall be a liability of such employee member of the fund, and at the end of each payroll period ending after September 1, 1947, the City, in addition to deductions hereinabove provided for, shall deduct from the salary of such employee member for each such payroll period ending after September 1, 1947, an amount equal to eight and one-third per centum (8-1/3%) of such deficiency until such deficiency shall have been fully cured. Any employee member liable for any such deficiency or balance thereof may cure the same by direct payment into the fund of the

amount thereof, to be matched by his employer as though such payment were a deduction from his salary, but if such deficiency be not cured in one or more of the manners hereinabove provided, it shall be cured as provided in Section 19. Any employee member who shall be, or shall have been, an employee member at July 1, 1947, may file with the City Comptroller at any time within sixty days after July 1, 1947, a written declaration to the effect that he elects to remain subject to the aforesaid three hundred dollar proviso, and in the event he so files such declaration he shall remain subject to said three hundred dollar proviso, and the preceding sentences of this subdivision (a) shall have no application to him. (b). For the purpose of deductions from salary, an employee member who shall be such employee member after July 1, 1947, and who shall not be, or shall not have been, such employee member at July 1, 1947, shall be deemed to earn, or to have earned, salary at his actual rate of salary, but in no event at a rate in excess of four hundred dollars (\$400) per month. The City shall promptly pay each and every deduction hereinabove provided for into a retirement and relief fund (herein referred to as "the fund"), and such deduction so paid into the fund shall be known as a contribution of the employee member to the fund. At the same time the City pays into the fund any deduction from the salary of an employee member, the City shall also pay into the fund from its general or other appropriate funds a matching contribution of equal amount. The city comptroller is specifically charged with the duty of making such deductions from salaries and of making such payments into the fund. The fund shall include all assets of the fund in any form, and the City comptroller shall be, ex-officio, the custodian of the fund. The custodian shall keep a separate account of the fund and of all assets and liabilities thereof and of all receipts and disbursements thereof and of all prior service time and paid membership time of employee members. The custodian shall keep all monies of the fund in a separate bank account. The custodian shall keep in force and effect a bond in a penal amount equal to the total amount of monies and securities in his custody or possession, but in no event in excess of fifty thousand dollars, payable to the Board and conditioned for faithful performance of his duties and for faithful accounting to the Board for all monies, securities and property coming into his custody or possession as such custodian. Such bond shall be executed by a surety company authorized to do business in the State of Alabama, and the premium on such bond, and all necessary expenses of the Board, shall be paid out of the fund upon order of the Board. All bonds and securities acquired for the fund and which are registerable as to principal shall be registered by the custodian in the name of the system promptly upon acquisition and shall remain so registered until sold or otherwise disposed of by authority of the Board. The Board may select a banking institution located within the territorial jurisdiction of the City as subcustodian of securities, with authority to collect and remit to the custodian principal and interest of securities entrusted to its custody as the same may mature, and pay it such reasonable fees or compensation for its services as the Board may deem proper, and the Board may, if it sees fit, waive bond of such institution as subcustodian so long as the net worth of the subcustodian exceeds one and one-half times the total par value of the securities entrusted to its custody. Securities in the custody of such subcustodian shall not be counted as in the custody of the custodian for the purpose of computing the amount of the custodian's bond. The Board is authorized to accept and receive gifts, donations or legacies for the fund, and to administer same as may be directed by the donors. In the adjudication of claims against the fund, the records of the city comptroller and custodian made and kept for the purposes of this act shall be deemed, *prima facie*, to speak the truth.

Section 10. Refund of Erroneous Contributions. If measured by the provisions of the system, any amount shall be erroneously deducted from the salary of any person who is not a member of the system and paid into the fund, such amount shall be refunded to such non-member, and any erroneous matching contribution which may have been made to match the erroneous contribution of such non-member shall be refunded to the particular fund from which made.

Section 11. Bar of Claim of Creditable Time. In the event the City should, through error, inadvertence or otherwise, neglect to make proper deduction for the fund from the salary of any employee member for any pay-roll period, the employee member shall have a right to pay into the fund the amount which should have been deducted for such pay-roll period at any time within three months after expiration of such pay-roll period, together with interest thereon, at the rate of six per cent per annum, and to count the principal so paid as a salary deduction contribution. In the event of failure of such employee member to so pay within such time, he shall forfeit any right to so pay thereafter. In the event any tender of such payment within such time shall be refused, the employee member may, within three months after such refusal, institute mandamus proceedings to compel acceptance, and in such proceedings the court shall treat as included in the proceedings the question of right of the employee member to make contribution for any pay-roll period subsequent to the aforesaid pay-roll period and prior to date of its order for which proper salary deduction was not made. Nothing herein contained shall be construed to prevent the fund from recovering at any time, with six per cent per annum interest, any amount which should have been deducted for any pay-roll period but which was not deducted. Any amount paid by an employee member under this section shall be matched by payment by the City into the fund of a like amount.

Section 12. Retirement Allowances. (a). Any employee member who shall be now or hereafter of the age of sixty or more years and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any employee member who, regardless of age, shall have now or hereafter accumulated thirty or more years of creditable time, shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance, he should voluntarily retire, or be involuntarily retired, from the service he shall be entitled to a monthly retirement allowance from the fund as hereinafter in this subdivision (a) of this section specified. The monthly amount which shall be allowed any employee member who shall be entitled to a retirement allowance under this subdivision of this section, and who shall be, or shall have been, an employee member at July 1, 1947, shall be forty per centum (40%) of his final average salary, plus five sixths of one per centum ($\frac{5}{6}$ th of 1%) of his final average salary multiplied by the number of years of his creditable time in excess of fifteen (15) years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty two and one half per centum ($52\frac{1}{2}\%$) of his final average salary. The monthly amount which shall be allowed any employee member who shall be entitled to a retirement allowance under this subdivision of this section, and who shall not be, or shall not have been, an employee member at July 1, 1947, shall be one and three fourths per centum ($1\frac{3}{4}\%$) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty two and one half per centum ($52\frac{1}{2}\%$) of his final average salary. The amount of any retirement allowance under this subdivision of this section shall commence to accrue at date of retirement. (b). Any employee member who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated twenty (20) years of creditable time, shall be entitled to a monthly retirement allowance from the fund equal to one and three fourths per centum ($1\frac{3}{4}\%$) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty two and one half per centum ($52\frac{1}{2}\%$) of his final average salary. Anything hereinabove to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntary retirement or dismissal of such person, the personnel board or other agency governing tenure of service of employees of the City shall certify that such employee has not contributed by his own fault or misconduct to his separation from the service. If such certificate shall be made within

said time the amount of retirement allowance shall commence to accrue at date of involuntary retirement, and if such certificate shall not be made within said time, the amount of retirement allowance shall commence to accrue at age sixty, provided there be no withdrawal of contributions. Anything hereinabove to the contrary notwithstanding, a retirement allowance under this subdivision of this section shall not accrue or be payable for any period during which such involuntarily retired person shall refuse or fail to accept proffered employment in the service at compensation equal to that he was receiving at the time he was involuntarily separated from the service. (c). For the purpose of computing retirement pay, an employee shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deductions from salary under Section 9. The Board may treat the end of the payroll period next before actual date of retirement of an employee member as the date of his retirement for purposes of computation, and, and for such purposes, may disregard a fraction of a year of creditable time less than one fourth ($\frac{1}{4}$). (d). Subject to the provision of subdivisions (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of the system shall continue to accrue throughout the life of such person. (e) If, after any person shall have retired or been retired as herein above in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be re-employed in the service and again become a member of the system under the terms of the system, he shall again contribute to the fund as in the case of any other member, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employee membership, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f). In the event of death of any male employee member after he shall have become entitled to voluntarily retire and obtain a retirement allowance his widow, at the time of his death, provided she has been married to him for five consecutive years while he was employed in the service of the City, shall be entitled to monthly widow's allowance in an amount equal to forty per centum (40%) of the amount of monthly retirement allowance to which her deceased husband would have been entitled had he retired immediately before death; and in the event of death of any retired beneficiary in whose favor the amount of a monthly retirement allowance is accruing, his widow, at the time of his death, provided she was married to him for at least five years while he was in the service of the City, shall be entitled to a monthly widow's allowance in an amount equal to forty per centum (40%) of the monthly amount of the retirement allowance accruing in favor of her deceased husband immediately prior to his death. (g). If an employee member be killed in the line of his duty after July 1, 1947,, his widow, if any, without regard to the time during which the marriage existed, shall be entitled to a monthly allowance of twenty per centum (20%) of the final average salary of such employee member plus ten dollars (\$10.00) per month for each child of such widow by such deceased employee until such child shall die or reach the age of sixteen (16) years, whichever may first occur and if such employee, killed in line of his duty, shall not have accumulated as much as five years of creditable time, such widow, if any, shall be entitled to a monthly allowance of twenty per centum (20%) of the monthly salary of such deceased employee at the time of the injury resulting in his death plus ten dollars (\$10.00) per month for each child of such widow by such deceased employee until such child shall die or reach the age of sixteen (16) years, whichever may first occur. (h). The amount of a widow's allowance, provided for in (f) and (g) above, shall commence to accrue at the death of her husband, and shall continue to accrue to the time of her death or remarriage, whichever may first occur. (i). The rights of any person who may have heretofore or hereafter retired from the service after June 30, 1945, shall continue to be measured and

governed by the terms of the system in effect at the time of such retirement, and should such person die during continuance of such retirement the rights of any widow of such deceased retired person, and the rights of any widow of any other deceased person, shall be measured and governed by the terms of the system in effect at the time of death of her deceased husband, and the foregoing provisions of this subdivision (i) shall control over anything heretofore or hereafter in the system which might be construed to the contrary.

Section 13. Blank.

Section 14. Disability Allowances. (a). If any employee member, after having accumulated five (5) years or more of creditable time, shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, then, in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the fund equal to one and three fourths per centum (1 $\frac{3}{4}$ %) of his final average salary multiplied by the number of years of his creditable time, such monthly allowance, however, not to exceed forty per centum of his final average salary, and the amount of such disability allowance to commence to accrue at the expiration of sixty calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. Anything hereinabove to the contrary notwithstanding, a disability allowance based on disability commencing prior to May 1, 1947, shall be payable at the rate provided for by statute in effect at the time of commencement of such disability. An allowance under this subdivision of this section shall be known as an ordinary disability allowance". (b). If any employee member, whether with or without five years of creditable time, shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place and after July 1, 1945, then, in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the fund equal to forty per cent (40%) of his monthly salary at the time of commencement of such total disability, the amount of such total disability allowance to commence to accrue at the expiration of such sixty consecutive calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an "extraordinary disability allowance," but no disability allowance shall be made by the Board under this subdivision of this section after six months after the accident resulting in such disability or if such accident occurred while the disabled person was employed by another than the City. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance and unless such resolution be passed within six months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability and such total disability from such injury should thereafter cease, the Board may, in its discretion, continue him on the disability roll until such time as, in the judgment of the Board, he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. (c). No disability allowance shall be made by the Board until after satisfactory proof has been made to the Board of total disability by certificate of at least one licensed and practicing physician or surgeon. The Board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The Board may from time to time require further such certificates and other proof to determine whether total disability still exists. (d). Resumption of active duty by an employee

member after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of the system, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability. (e). If any disability beneficiary should become separated from the service and withdraw his contributions his right to continuance of disability benefits shall immediately cease. (f). For the purpose of computing disability pay, an employee shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deductions from salary under Section 9.

Section 15. Reduction of Allowances. Any amount otherwise payable by the fund to any beneficiary for any month or part thereof on account of retirement, widowhood or disability shall be reduced by the amount, if any, paid or payable to such beneficiary for the same month or part thereof by any federal agency or by any agency of the State of Alabama, including any county, city, or town of the State of Alabama, on account or by reason of employment within the State of Alabama of such beneficiary during such month by any such public agency.

Section 16. Loans to Employee Members. The board shall have the right to lend to any employee member from the fund such an amount of money as will not cause the aggregate of indebtedness of the employee member to the fund immediately after such loan to exceed fifty per cent of the amount of contributions returnable to him or those claiming under him were he to become separated from the service immediately after such loan. Interest on such loan shall be charged at the rate of six per cent per annum.

Section 17. Severance Nominee. The custodian shall keep a book or record in which any employee member may designate the name of a person to receive return of contributions made by him in the event of his death prior to commencement of accrual of a retirement allowance in his favor. Any such designation may be changed from time to time by the employee member. Each such designation shall be signed and dated by the employee member, and the last signed and dated designation shall prevail over any former designation. **The rights of the last designated severance nominee shall be governed by Section 18.**

Section 18. Separation from Service; Return of contributions; Re-employment and Restoration of Returned Contributions. In the event that prior to the time he shall become a retirement beneficiary under the system any employee member should become a nonqualified employee or become entitled to file, and file, a declaration of withdrawal as authorized by subdivision (a) of Section 8 or become separated from the service by death without widow entitled to an allowance hereunder or by discharge, dismissal, resignation, quitting or otherwise, he shall cease to be a member of the system, and, at the end of the pay roll period in which any such event may occur, the fund shall become liable for return of contributions in an amount equal to the amount of contributions theretofore made to the fund by such employee member, without interest, less one-half of any disability benefits theretofore paid the employee member by the fund. The amount of liability of the fund for return of contributions shall be paid to the former employee member if living. If such former employee member be dead, however, the amount of liability for return shall be paid to personal representatives who may qualify as such and make demand for a payment within sixty days after death of such former employee member, or if there be no such qualification and demand, to the severance nominee of the former employee member, or, if there be none, then to the spouse, children, father, mother, sisters or brothers of deceased in order of priority as enumerated. **No amount due from the fund as return of contributions shall bear interest until thirty days after proper demand for payment thereof.** In the event any employee member should become a nonqualified employee or become separated from the service or become a non-member under subdivision (a) of Section 8 and receive return of contributions and thereafter again become an employee member he shall be liable to the fund for restoration of the full amount of withdrawn contributions,

and the city comptroller shall deduct from the salary of such employee member the amount of liability for restoration in twenty monthly installments of substantially equal amounts or in such lesser number of substantially equal restoration installments as will permit no installment to be less than ten dollars; provided, however, such employee member shall have the right to pay in cash in advance of maturity all restoration installments, or, in the inverse order of maturity, any number of installments less than all. Every restoration installment shall bear interest at such rate as the Board may prescribe, and upon completion of payment thereof, with interest, the employee member shall be entitled to count as creditable time all creditable time earned by him prior to so again becoming an employee member. Anything hereinabove to the contrary notwithstanding, however, any person who may become liable after July 1, 1945, for restoration of withdrawn contributions shall be liable for interest upon the amount of such liability at the rate of six per cent per annum until paid, provided, that any such person who may become liable after July 1, 1945, for restoration of withdrawn contributions may discharge himself of such liability and of interest thereon by filing with the city comptroller within thirty days after attachment of such liability a written declaration that he elects to surrender creditable time prior to so again becoming an employee member and to not be liable for restoration of withdrawn contributions. Neither any employee member or former employee member, nor anyone claiming under him, shall be entitled to return of contributions after the amount of any retirement allowance shall have commenced to accrue in his favor.

Section 19. Liabilities of Employee Members to Fund. Any debt or liability of an employee member to the fund or to the City shall be offset against, and deducted from, any amount due from the fund to the employee member of those claiming under him either as return of contributions or as disability or retirement payments, and only the balance, if any, shall be payable by the fund.

Section 20. False Representations. After July 1, 1945, it shall be a misdemeanor, and punishable as such, for any employee member or beneficiary to knowingly make any false representation to the Board or to the Secretary of the Board or to the city comptroller or the custodian or to any investigator or agent of the Board in respect of any matter pertaining to the administration of the system.

Section 21. Exemptions. Neither all nor any portion of the fund, whether in cash, securities or otherwise, nor any income or yield thereof, shall be subject to, or exacted on account of, any tax. No retirement or disability allowance nor any amount payable thereunder shall be subject to assignment or to any process for the collection of debts, provided this shall not apply to assignments or debts to the fund or to the City. Subject to Section 17, no liability of the fund for return of contributions shall be subject to assignment, and, subject to the provisions of Section 18 in relation to payment to personal representatives, no liability of the fund for return of contributions shall be subject to any process for the collection of debts.

Section 22. Members in Armed Forces. If any employee member, either before July 1, 1945, and after October 16, 1940, or after July 1, 1945, and prior to declaration by the Congress or President of the United States of termination of the unlimited national emergency declared by the said President in his proclamation of May 27, 1941, shall have left the service for the purpose of entering the armed forces of the United States, after having been in the service for at least one year next before such leaving, and shall have entered such armed forces promptly after such leaving, and shall have left in the fund all contributions made by him prior to such leaving, and shall have resumed a position of qualified employee in the service within forty days after his separation from such armed forces, and, in any event, within one year after declaration by the Congress or the President of the United States of termination of the unlimited national emergency declared by said President in said proclamation of May 27, 1941, and shall not have been dishonorably discharged from such armed forces, then, and in all such events, the City shall promptly pay into the fund an amount double that which the

employee would have contributed to the fund from his salary had he continued in the service as an employee member throughout the period between the time of so leaving the service and the time of resumption of position in the service at the same rate of pay he was receiving at the time he so left the service, and, upon such payment into the fund, the employee shall be entitled to count as paid membership time the entire aforesaid period, provided, however, that if such employee become disabled to perform his customary duties at any time within two years after such resumption of position, the amount of any benefits to which he might otherwise be entitled under Section 14 for any period shall be reduced by any amount paid or payable to him by the federal government for the same period, and provided further that no part of such payment by the City shall be returnable by the fund under any provision of the system for return of contributions made by employee members.

Section 23. (a). Board of Managers. There shall be a Board of Managers of three members for the administration, management and control of the system, including administration, management, control, acquisition and disbursement of the fund. The Board shall consist of the President of the Commission of the City, who shall be Chairman of the Board, and two associate members, designated, respectively, as "member number one" and "member number two." Member number one shall be appointed by the personnel board to serve until death, resignation or appointment of another by the personnel board to serve in his stead. Any vacancy in member number one shall be filled by the personnel board. Member number two shall be appointed from employee members. Member number two shall be appointed from employee members by a majority of the County Health Officer and of employees of the City whose duties are those, or correspond most nearly to those of, Superintendent of city parks, Superintendent of city streets, director of public libraries, city engineer, city attorney, city comptroller, senior judge of recorders court, and chairman of zoning board of adjustment. After July 1, 1945, the appointers of member number two shall include, also, city clerk, manager of municipal airport, manager of city warehouse, water engineer of industrial water supply system, manager of city garage, city electrician, chief building inspector, chief plumbing inspector, city purchasing agent, and the employee member of the police department and the employee member of the fire department senior in point of time in the service. In the event of equal length of service of two employee members of the police department or of the fire department the one senior in point of age shall be deemed senior in point of time in the service for the purpose of the next preceding sentence. Said member number two shall be appointed to serve until death, resignation or appointment of another by a majority of those authorized to appoint member number two. Each of the associate members of the Board shall be a bona fide resident and qualified voter of the City of Birmingham. The Board is directorily required to meet at least once a month in the office of the chairman, or such other place as the Board may designate, on the second Thursday in each calendar month. Any two members of the Board, after due notice having been given to all members of the Board, may meet in special meeting and transact any business of the Board, provided the secretary be present and record the proceedings of the special meeting as hereinafter provided. The personnel director shall be secretary of the Board and shall be present at every meeting of the Board, and keep a record of all proceedings of the Board and of all orders and decisions of the Board. Neither the secretary nor any member of the Board shall receive any salary or compensation for his services as such except member number one, who shall receive ten dollars for each meeting attended, but not more than twenty dollars for meetings attended in any calendar month. Two members of the Board, when assembled in either regular or special meeting, shall constitute a quorum for the transaction of any and all business of the Board, and the affirmative vote of two members shall be necessary and sufficient to pass any motion or resolution. The Board is empowered to make rules and regulations not inconsistent with the provisions of the system in relation to its affairs and the system. The Board shall receive, investigate and pass upon all

applications for retirement and disability and widow allowances and shall make retirement and disability and widow allowances in accordance with the system to all persons entitled thereto under the system, and its decision upon all matters of fact shall be final and conclusive unless it shall be affirmatively made to appear that its decision is plainly and manifestly wrong. The Board is authorized to borrow money up to the par value of the securities of the fund and to pledge such securities for repayment of the money borrowed. No money of the fund shall be invested, paid out or disbursed except pursuant to order or authorization of the Board. The Board shall be trustee, and have entire management and control of the fund, and shall direct investment of monies of the fund not needed to meet disbursements provided for in this Act in the loans to members hereinabove referred to and in bonds of the United States, the State of Alabama and any municipality of Alabama, and in bonds of corporations organized under Federal laws or under the laws of any State of the United States; provided, however, that no funds shall be invested in bonds of private corporations unless such bonds are listed upon exchanges subject to the jurisdictions of the Securities and Exchange Commission, and the aggregate par value of the funds invested in such bonds of corporations last referred to above shall not exceed one third (1/3) of the par value of all investments of the fund exclusive of loans to members. In addition to methods of removal hereinabove provided for, any member of the Board may be removed by impeachment for corruption or malfeasance or misfeasance in office or for habitual neglect of duty. (b). The Board of Managers shall make a study of the provisions of this Act, and at such time or times as the Board may deem appropriate it shall have authority to employ at the expense of the fund such actuarial assistance and other aid as the study may require to determine the following questions: (1) Are the contributions to the fund sufficient to pay the benefits provided herein. If not, what additional contributions are necessary? (2) Are the benefits provided herein sufficient in amount to consume the contributions required herein, or are they so large as to render the fund insolvent, and in the event of the finding of either contingency, what adjustments should be made? (3) What provisions should be made either in contributions by employees or by the City to render the fund solvent with respect to allowances made for prior Service? The said Board may present to the members of the Legislature, not later than thirty days before the convening of any regular session, a report of the financial condition of the system, together with drafts of such laws as it may deem necessary to keep or make the fund actuarially solvent. They shall accompany their report with the reasons why they recommend the measures included in their report for making it solvent, setting out in detail what benefits they recommend be reduced, or what additional contributions they recommend being made. And the Legislature shall give prompt and full consideration to such report to the end that said fund may be solvent, safe and permanent for the protection of the employees covered thereby.

Section 24. Repeal and Amendment Reservation. The Legislature reserves the power to amend, alter or repeal this act, provided, however, that if any person who may be entitled to voluntarily retire and obtain a retirement allowance under this act shall so voluntarily retire before exercise of said reserved power he shall have a contractual lien upon the fund for each and every amount to which he may be or become entitled in accordance with the terms of the law existing at the time of such voluntary retirement, and provided, further, that if any employee member become totally disabled before exercise of said reserved power he shall have a contractual lien upon the fund for each and every amount to which he may be or become entitled in accordance with the terms of the law existing at the time of commencement of such a disability.

Section 25. Name. After July 1, 1945, the name of the system provided in Sections 3 to 25, both inclusive, shall be City of Birmingham Retirement and Relief System, and by that name all suits, proceedings, transactions and business affecting the system, including the fund, may be brought, conducted, had and done. In any suit in that name service of

process upon the custodian shall be sufficient service, and any judgment or decree in such name shall bind the fund.

Section 26. Board of Health Employees. If prior to expiration of the calendar year 1945 the legislature of Alabama shall pass, or shall have passed, any act under which the Jefferson County Board of Health and employees thereof have or will become subject to the same civil service system and administration as that to which the City and employees thereof are, or were then, subject, then, in such event, and for the purpose of application of the terms of the system, and for such purposes only, and except as may be hereinafter otherwise or differently provided in this and the next succeeding section, said Board of Health shall be deemed constructively a subsidiary board or department of the City during said Health Board's past, present and future existence and employees thereof shall be deemed constructively employees of the City during all their time in the service of said Board of Health, whether past, present or future, and the retrospective and prospective terms of the system shall be retrospectively and prospectively applied to such constructive employees as fully and restrictively and with like effect as though said Board of Health were actually such subsidiary board or department at all times past, present and future and as though employees thereof were actually employees of the City at all times while in the service of said Board of Health, past, present or future, provided that the creditable time of any such constructive employee who may be or become an employee member shall include all his prior service time and all his paid membership time, notwithstanding he may not have been such employee member at September 1, 1937, or within six months thereafter. In case the event first hereinabove in this section mentioned shall happen, or shall have happened, then, for the purpose of application of the terms of the system, persons in the service of said Board of Health prior to the happening of such event shall be deemed in the service of the City in the unclassified service and persons in the service of said Board of Health after the happening of such event shall be deemed from the happening of such event as in the classified service or the unclassified service according to the terms of the statute constituting said event, and shall be governed accordingly by the retrospective and prospective provisions of the system, including, specifically, Sections 5, 7 and 8 of the system.

Section 27. After July 1, 1945, and the happening of the event first mentioned in Section 26, it shall be the duty of said Board of Health, as an independent agency and not as a subsidiary board or department of the City, to make, or cause to be made, and paid into the fund, deductions from the salaries of all its employees who are employee members, and to do so in all respects as is provided by the system for the City to make deductions, and pay into the fund, from salaries of its employees who are employee members, and it shall be the further duty of said Board of Health, as such independent agency, to make matching contributions to the fund from its own funds in respect of its employees who are employee members in all respects as it is made the duty of the City to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of said Board of Health, as such independent agency, to fully cooperate with the Board of Managers, the city comptroller and the custodian in the administration of the system, and, thereinabout, to make available to them all such records and information pertaining to employees of said Board of Health as they or either of them may request for the purpose of administration of the system.

Section II. This act shall become effective upon its passage.

NOTICE is also hereby given that, while the substance, as distinguished from detail, of the bill to be applied for as aforesaid may not be varied, yet that the detail, as distinguished from substance, of the bill to be applied for as aforesaid may be varied either before or after introduction, and that no person may rely upon any assumption to the contrary.

The Call—May 31; June 7-14-21, 1947.

AFFIDAVIT OF EDITOR AND PUBLISHER OF
THE WEEKLY CALLSTATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned notary public in and for said county in said state, personally appeared Mrs. J. Paul Ward, who, being by me first duly sworn, deposes and says on oath that she is Editor and Publisher of The Weekly Call; that said The Weekly Call is, and since prior to May 1, 1945, has been, a newspaper of general circulation; that in each week since prior to May 1, 1945, said newspaper, the said The Weekly Call, was printed and published in the English language in the City of Birmingham, Alabama, and in Jefferson County, Alabama, and had, in each such week, a general circulation in the City of Birmingham, Alabama, and in Jefferson County, Alabama; that in each week since prior to May 1, 1945, said newspaper, the said The Weekly Call, was mailed under the second class mailing privilege of the United States Post Office Department from the United States post office in Birmingham, Alabama; that the attached notice was published once a week for four consecutive weeks in said newspaper, the said The Weekly Call; that the said newspaper, the said The Weekly Call, and the said attached notice therein, were published in 1947 on May 31st, June 7th, June 14th and June 21st; that at the time of each such publication of such attached notice and of such The Weekly Call, the said The Weekly Call was a newspaper published in the City of Birmingham, Alabama, and in Jefferson County, Alabama; and that said publications of said attached notice were made in the City of Birmingham, Alabama, and in Jefferson County, Alabama, and were made without cost to the State of Alabama.

MRS. J. PAUL WARD.

Subscribed and sworn to before me this 23rd day of June, 1947.

MOLLIE DAFFIN,

(SEAL)

Notary Public.

By Messrs. Meeks, Adams (Jefferson), Gibson, Dumas, Beatty, Sadler (with notice and proof):

H. 513. To alter and extend the boundaries of the City of Birmingham, to provide for an election to submit to the qualified voters of the territory to be annexed to said City of Birmingham for their approval or rejection of such alterations and extension.

Local Legislation.

Notice and Proof H. 513.

NOTICE OF PROPOSED LOCAL ACT

TO WHOM IT MAY CONCERN:

Take notice that there will be introduced in the Legislature of Alabama, at the 1947 Regular Session, a bill in words and figures as follows, which bill the Legislature will be requested to pass:

TO ALTER AND EXTEND THE BOUNDARIES OF THE CITY OF BIRMINGHAM: TO PROVIDE FOR AN ELECTION TO SUBMIT TO THE QUALIFIED VOTERS OF THE TERRITORY TO BE ANNEXED TO SAID CITY OF BIRMINGHAM FOR THEIR APPROVAL OR REJECTION OF SUCH ALTERATIONS AND EXTENSION.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Birmingham, in the County of Jefferson, State of Alabama are, subject to the other provisions hereof, hereby altered and extended so that said boundaries shall include within the corporate limits of said City all the following described additional property not presently located in said City, to-wit: A part of Sections 1, 2, 11 and 12, Township 17 South Range 2 West, described as follows:

Begin at the NW corner of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 2 Tp 17 R 2-W, thence south along western boundary line of said section to a point where the City Limits of Birmingham intersects, thence in a southeasterly direction along the said City limits to the center of sec. 12 Tp 17 R 2-W, thence in a northerly direction along the center north and south line of sec. 12 to the south boundary line of section 1 township 17 Range 2 West, thence in an easterly direction along south boundary line of section 1 township 17 Range 2 West to the SW corner of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 1 Township 17 Range 2 West, thence along the quarter section line to the SW corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, thence in a westerly direction along the East and West center line of section 1 township 17 Range 2 west, to where the said line intersects the County Road being approximately NW corner of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 1 Township 17 Range 2 West, thence in a northerly direction along said 40 acre line to the north line of section 1 township 17 Range 2 West, thence in a westerly direction along north boundary line of section 1 Township 17 Range 2 West to the NE corner of Section 2 Township 17 Range 2 West, thence in a southerly direction along East boundary line of section 2 Township 17 Range 2 West to NE corner of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, thence westerly along said 40 acre line to NW corner of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, thence in a southerly direction along quarter section line to SW corner of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, thence in a westerly direction along the east and west center line of Section 2 Township 17 Range 2 West to point of beginning.

Section 2. Within ten days after the approval of this act by the Governor, the Judge of Probate of Jefferson County, Alabama, shall make and enter an order upon the minutes of said court, directing and ordering an election to be held by the qualified voters residing within the territory described, which is to be annexed to said City, said election to be held within forty days from the entry of said order. Said election shall be held to determine whether or not a majority of the voters residing within the territory above described to be annexed to said City favor the annexation to said City of said territory above described. Said Judge shall give notice of the holding of said election by posting notices at three public places in the part of said territory annexed to said City by this Act, which notices shall state the date on which said election is to be held, the voting place or places designated by the Chairman of the Board of Registrars of said county, the boundaries within which voters must reside to vote at the respective voting places, which must be within the territory annexed to said City by this Act, and said notices must give a description of the territory so annexed, and must state that a map of said territory is on file in the office of the Judge of Probate of said county, open to the inspection of the public.

Section 3. The Chairman of the Board of Registrars of said county may designate as many places within the territory hereby annexed to said City as he may deem necessary for the convenience of the voters and must designate the boundaries within which the voters must reside to vote at the respective voting places, and the Election Commission of Jefferson County shall appoint three inspectors of election, two clerks and one returning officer for each voting place, which inspectors shall manage the election at the respective voting places at which they are appointed as inspectors.

Section 4. Each qualified voter who has resided within the boundaries of the territory hereby annexed to said city for three months next preceding the election may vote at said election, but must vote at the voting place des-

ignated by the Chairman of the Board of Registrars for voters in the territory in which he resides.

Section 5. Said election must be conducted in all respects as provided by the general election laws and under the same sanction and penalties, except as changed by the provisions of this Act, and except that an official ballot need not be provided. There shall be no voting by absentee ballot.

Section 6. Each voter may furnish his own ballot with the following words written or printed thereon: "For annexation," if he desires to vote in favor of annexing the territory to the City, or "Against annexation" if he desires to vote against annexing the territory to the City. It shall not be necessary for the ballot to be of any particular size, form or color.

Section 7. The inspectors at the respective voting places must, as soon as the polls are closed, ascertain and certify the results of the election at their respective voting places to the Judge of Probate, and deliver the same to the returning officer, who must at once return the same to the Judge of Probate, and said Judge must canvass the returns as made by the inspectors, and if it appears that a majority of the votes cast at the election were "for annexation" said Judge shall make and enter an order on the records of said Probate Court recording such fact, and from the time of the entry of such order this Act shall be fully effective and the boundaries of said City of Birmingham shall be as above set forth. If it appears that majority of the votes cast at the election are "Against Annexation" the Judge of Probate shall make and enter an order on the records of said Court recording such fact, and this act shall not be effective, and the boundaries of said City shall be and remain as they were before the passage of this Act.

Section 8. The result of such election may be contested by any qualified elector voting at the election under the same provisions as are provided by general law for contesting the election of a Justice of the Peace, making the City the contestee. The City of Birmingham shall pay all costs and expenses incident to the election.

Section 9. The Probate Judge shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and all other officers shall be entitled to the same compensation for services rendered by them, as they are authorized by law to charge and collect for similar services rendered by them, and said City of Birmingham shall pay all costs and expenses, except in the case of a contest as herein provided.

Section 10. That this Act shall become effective immediately upon its passage or approval by the Governor, or its otherwise becoming a law.
B'ham Messenger—May 3-10-17-24, 1947.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared

Elsie Wheeler

who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 3, 10, 17, 24, 1947, a legal notice, a copy of which is hereto attached.

ELISE WHEELER,
Publisher.

Sworn and subscribed to on this the 24th day of May, 1947.

MALCOLM L. WHEELER,
Notary Public.

By Messrs. Adams (Jefferson), Beatty, Dumas, Meeks, Gibson, Kaul Sadler (with notice and proof):

H. 514. For the relief of Ruth E. Pugh and to authorize and direct the City of Birmingham to pay to said Ruth E. Pugh \$2,500 for injuries received when she was struck by a City of Birmingham fire truck.

Local Legislation.

Notice and Proof H. 514:

A BILL TO BE ENTITLED AN ACT FOR THE RELIEF OF
RUTH E. PUGH

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1. That the Birmingham City Commission is hereby authorized and directed to pay to Ruth E. Pugh the sum of \$3,500.00 for permanent and visible personal injuries more particularly described as follows:

On the 10th day of February, 1945, Mrs. Ruth E. Pugh, who has four small children, was seriously injured when a fire truck, which was being operated by employees of the City of Birmingham in answering a fire call, ran upon the side-walk near 5th Avenue North and 22nd Street North in the City of Birmingham, where she was walking and where pedestrians customarily walk, and knocked and pinned her against the front of a store building, deeply lacerated her left leg almost its full length, broke a bone of her left leg, lacerated her right leg and lacerated other parts of her body, which rendered her unconscious and caused her to suffer great physical pain for more than two months in the Hillman hospital where she lingered between life and death; and, which injuries are still causing her pain and suffering; and, said injuries left ugly, permanent scars plainly observable over practically the whole length of her leg which will remain with her through life.

The said sum of money, as aforesaid, is to be paid to the said Mrs. Ruth E. Pugh out of such moneys as may be constitutionally available.

2. This act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.
B'ham Messenger—May 17-24-31, June 7, 1947.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared

ELISE WHEELER

who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 17, 24, 31, June 7 1947, a legal notice, a copy of which is hereto attached.

ELISE WHEELER,
Publisher.

Sworn and subscribed to on this the 7th day of June, 1947.

MALCOLM L. WHEELER,
Notary Public.

(SEAL)

By Messrs. Dumas, Beatty, Sadler, Kaul, Meeks, Adams (Jefferson) (with notice and proof):

H. 515. For the relief of Luther Tolson Donaldson, a minor twelve years of age, in the sum of \$2,200.00, in that on, to-wit, July 12, 1945, a duly authorized agent, servant, or employee of Jefferson County, Alabama, negligently drove a tractor into the said Luther Tolson Donaldson, a minor twelve years of age, and permanently and painfully injured him, at or near a point, to-wit, one half mile west of Price's Store, on the Glenwood Road, between Morris and Crosston, Jefferson County, Alabama.

Local Legislation.

Notice and Proof H. 515:

NOTICE OF A PROPOSED LOCAL ACT

To Whom it May Concern:

Take notice that there will be introduced in the Legislature of Alabama at the 1947 Regular Session, a bill in words and figures as follows, which bill the Legislature will be requested to pass:

A BILL TO BE ENTITLED AN ACT

FOR THE RELIEF OF LUTHER TOLSON DONALDSON, A MINOR, TWELVE YEARS OF AGE.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1st. That the County Commission of Jefferson County, Alabama, is hereby authorized and directed to draw, or cause to be drawn, a warrant on the Treasurer of Jefferson County, Alabama, payable to Luther Tolson Donaldson, a minor twelve years of age, of his duly and legally appointed guardian, for the sum of \$5,000.00 to compensate him for personal injuries sustained as a direct and proximate consequence of the negligence of an agent, servant or employee of Jefferson County, Alabama, while acting within the line and scope of his employment as such, in negligently driving a tractor which was owned by Jefferson County, Alabama, into, upon or against the person of the said Luther Tolson Donaldson, a minor twelve years of age, and seriously and permanently injuring him, said sum of \$5,000.00 being for the purpose of compensating him for his said injuries, and the Treasurer of Jefferson County, Alabama, is hereby directed to pay such warrant to the said Luther Tolson Donaldson, a minor twelve years of age, or his duly and legally appointed guardian, out of such funds not otherwise appropriated.

2nd. That this act shall become effective immediately upon its passage or approval by the Governor, or its otherwise becoming a law.

B'ham Messenger—April 5-12-19-26, 1947.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared

MRS. J. PAUL WARD

who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of April 5-12-19-26, 1947, a legal notice, a copy of which is herto attachd.

MRS. J. PAUL WARD,
Publisher.

Sworn and subscribed to on this the 30th day of April, 1947.

(SEAL)

J. G. ADAMS, JR.,
Notary Public.

By Messrs. Dumas, Beatty, Sadler, Meeks, Kaul, Adams (Jefferson) (with notice and proof):

H. 516. For the relief of Luther L. Donaldson, in the sum of \$300.00, covering actual loss and expense sustained by him as a proximate consequence of the negligence of an agent, servant or employee of Jefferson County, Alabama, while acting within the line and scope of his employment, in negligently driving a tractor into Luther L. Donaldson's minor son, Luther Tolson Donaldson, also into the automobile of Luther L. Donaldson on, to-wit, July 12, 1945, in Jefferson County, Alabama, about one mile west of Price's Store, on the Glenwood Road between Morris and Cross-ton, said sum covering actual damages to Luther L. Donaldson's said automobile, and actual expense sustained by him as a proximate consequence of medical expenses to his said minor son, as aforesaid, loss of time from his work as a proximate consequence thereof, and damages to his said automobile.

Local Legislation.

Notice and Proof 516:

NOTICE OF A PROPOSED LOCAL ACT

To Whom it May Concern:

Take notice that there will be introduced in the Legislature of Alabama at the 1947 Regular Session, a bill in words and figures as follows, which will be the Legislature will be requested to pass:

A BILL
TO BE ENTITLED
AN ACT

FOR THE RELIEF OF LUTHER L. DONALDSON.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1st. That the County Commission of Jefferson County, Alabama, is hereby authorized and directed to draw, or cause to be drawn, a warrant on

the Treasurer of Jefferson County, Alabama, in favor of Luther L. Donaldson in the sum of \$350.00, covering actual loss and expense sustained by the said Luther L. Donaldson as a direct and proximate consequence of the negligence of an agent, servant or employee of Jefferson County, Alabama, while acting within the line and scope of his employment as such, in negligently driving a tractor into, upon or against the automobile of the said Luther L. Donaldson, and thereby damaging same; also injuring Luther Tolson Donaldson, the minor son of Luther L. Donaldson; said sum of \$350.00 being the amount of the actual loss sustained by reason of medical expenses and loss of time from work, due to said injuries received by the said minor son of the said Luther L. Donaldson, and damage to the said Luther L. Donaldson's automobile, and the Treasurer of Jefferson County, Alabama, is hereby directed to pay such warrant out of such funds not otherwise appropriated.

2nd. That this act shall become effective immediately upon its passage or approval by the Governor, or its otherwise becoming a law.
B'ham Messenger—Apr. 5-12-19-26, 1947.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared

MRS. J. PAUL WARD

who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of April 5-12-19-26, 1947, a legal notice, a copy of which is hereto attached.

MRS. J. PAUL WARD,
Publisher.

Sworn and subscribed to on this the 30th day of April, 1947.

J. G. ADAMS, JR.,
Notary Public.

(SEAL)

By Messrs. Adams (Jefferson), Gibson, Dumas, Beatty, Meeks:

H. 517. To amend Section 37 of Title 58 of the 1940 Code of Alabama, which relates to fiduciary funds.

Judiciary.

By Messrs. Dumas, Gibson, Beatty, Meeks, Adams (Jefferson):

H. 518. To further define and extend the powers, authority and duties of the Deputy Circuit Solicitor of the Tenth Judicial Circuit of the State of Alabama who is elected by the people; to provide and impose additional duties for such Deputy Circuit Solicitor, and to provide for additional compensation for such Deputy Circuit Solicitor, and to make provision for the payment of such additional compensation; provided, however, that, if an increase is made in the present session of the Legislature in the annual salary which is paid by the State of Alabama to said Deputy Circuit Solicitor, then the additional annual compensation herein specified to be paid by the county shall be reduced by the amount

of such increase; and to provide the effective date of this act, and to repeal all laws, general, local, and special, in conflict with this act.

Local Legislation.

By Messrs. Dumas, Beatty, Gibson, Meeks, Sadler, Kaul, Adams (Jefferson):

H. 519. To amend Section 135 of Title 17 of the 1940 Code of Alabama by adding to said section as now composed, a provision reading as follows: In counties having a population of 400,000 or more according to the last or any subsequent federal census, the appointing board may employ, for such length of time and at such compensation as may be fixed by the governing body of the county to be payable out of the treasury of the county, a person to assist the appointing board in assembling the names of good citizens for appointment as inspectors and clerks.

Local Legislation.

By Messrs. Nettles & Sadler:

H. 520. To provide for the assignment of accounts receivable; to make definitions of accounts receivable and other terms used in the Act; to provide the method of assignment of accounts receivable and the formalities and legalities with regard thereto; to provide for the filing with the Secretary of State of a written statement relating to the assignment of accounts receivable; to provide for the legal effect of the filing of such statement; to provide for the priorities between respective assignees, mortgagees, creditors and other persons interested in the assigned accounts; to provide for the filing of further statements and renewal statements relating to the assignment of accounts receivable with the Secretary of State; to provide for the docketing, filing, recording, and administration of statements relating to accounts receivable; to provide with respect to the rights of assignees of accounts receivable who have filed a statement as provided in this Act; to provide with respect to the rights of the account debtor whose account has been assigned; to provide a right of action for assignees of accounts receivable against the assignor thereof and all parties whose rights are subordinate to such assignee with respect to the account receivable who receive payment from the account debtor or otherwise diminish the rights of the assignee of the account receivable under the assignment; to provide that no handling of merchandise returned or recovered by the assignor of the account receivable or the granting of credits, allowances or adjustments to the account debtor by the assignor of the account receivable shall invalidate the assignment of the account whether or not the assignee of the account receivable consent to or acquiesces in such acts; to provide with respect to the rights of the assignee of the account receivable with respect to the collection by the assignor

of the account receivable for the account or benefit of the assignee; to provide the effect of this Act with respect to existing laws.

Business and Labor.

By Mr. Sadler:

H. 521. To amend Section 146 of Title 47 of the Code of Alabama of 1940.

Business and Labor.

By Mr. Sadler:

H. 522. To amend an Act entitled an Act to Relieve from the operation of any existing laws against perpetuities or suspension of the power of alienation of title to property a trust of real or personal property created by an employer as a part of a stock bonus plan, pension plan, disability or death benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees, approved July 7, 1945 (Acts 1945, page 499) with relation to trusts including proceeds of certain insurance policies.

Judiciary.

By Messrs. Rogers, Gibson, Inzer:

H. 523. To provide that all motor transportation companies that enter any city or town having a population of more than 10,000 inhabitants may be required by the Public Service Commission to provide and maintain an adequate passenger station therein, to be operated in the public interest under such rules and regulations as the Public Service Commission may prescribe.

Judiciary.

By Mr. Haynes (Lowndes) (with notice and proof):

H. 524. To allow the Sheriff of Lowndes County, Alabama, a deputy Sheriff in addition to the one now provided by law; to fix the salary of said deputy, and, to make the same payable out of the General Funds of Lowndes County, Alabama, in monthly installments.

Local Legislation.

Notice and Proof H. 524

NOTICE

The following BILL will be offered for passage by the Legislature of Alabama as soon as sufficient time has elapsed for proper advertisement of same, which is required for Local Bills.

No. (.....)

AN ACT

To allow the Sheriff of Lowndes County, Alabama, a Deputy Sheriff addition to the one now provided by law; to fix the salary of said Deputy,

and to make the same payable out of the General Funds of Lowndes County, Alabama, in monthly installments.

Be It Enacted by the Legislature of Alabama:

Section ONE: That the Sheriff of Lowndes County, Alabama is hereby allowed an additional deputy sheriff, to the deputy now provided by law, which said deputy shall be paid a salary of not less than Nine Hundred Dollars, nor more than Fifteen Hundred Dollars per annum, same to be paid in twelve equal monthly installments out of the general funds of said County; that said deputy shall be eligible to perform the duties of deputy sheriff anywhere in said county.

Section TWO: That on the First of Each Month after the employment of such deputy, a statement of the name of the deputy and the amount due to said deputy sheriff, shall be furnished to the Board of Revenue of the County by the Sheriff, and it shall thereupon be the duty of said Board of Revenue, to order a warrant drawn on the General Funds of the County, payable to said deputy, for the amount of the monthly salary, as is hereinabove provided.

Section THREE: That all laws and parts of laws in conflict with this Act are hereby expressly repealed, and, this act shall be in full force and effect from the date of its approval by the Governor.

Approved.....

Jos. R. Bell,
County Attorney

6-4tc

AFFIDAVIT

State of Alabama,
Lowndes, County.

Before me, J. R. Bell a Notary Public, in and for Lowndes County Alabama, personally appeared S. Kenneth Perry, who is known to me and who being by me first duly sworn, doth depose and say: that he is the Editor and publisher of the "Lowndes-Signal" a newspaper of general circulation, published in and for Lowndes County, Alabama; that the notice of the proposed Local Law, hereto attached, was duly published in "Lowndes-Signal" for four successive weeks, as follows:

| | |
|--------------------|-----------------|
| First Publication | May 23rd 1947 |
| Second Publication | May 30th 1947 |
| Third Publication | June 6th 1947 |
| Fourth Publication | June 13th 1947. |

S. KENNETH PERRY.

Sworn to and subscribed before me, June 23 1947.

(SEAL)

J. R. BELL,
Notary Public, Lowndes County, Ala.

By Messrs. Johnston, Stone, Sullivan, Brannan:

H. 525. To prohibit the Director of Conservation or any other official of the State of Alabama from entering into any lease or other rental agreement with third parties as respects any land owned and/or controlled by the State of Alabama or any of its agencies abutting on U. S. Highway #90 where said highway passes over or on the causeway known as Cochrane Bridge in Mobile and Baldwin Counties, Alabama.

Judiciary.

By Mr. Sullivan:

H. 526. To regulate the installation and equipment used in installing, storage, transporting and dispensing of liquefied pe-

troleum gases; to provide for the administration hereof by the Superintendent of Insurance as Fire Marshall Ex-officio; to provide for the appointment of a Chief Inspector, Deputy Inspectors and assistants to carry out the provisions hereof; to provide for reports to be made in connection with the sale and installation of liquefied petroleum appliances and system; to provide for the payment of fees for the inspection of liquefied petroleum gas equipment, containers and system; to provide for insurance and bonds by dealers in such gases and equipment; to provide for penalties for the violation of this act and any rule, or order promulgated pursuant hereto; to provide for payment of the expenses and salaries incurred in connection herewith and to provide for the effective date of this act.

Business and Labor.

By Mr. Pinkston:

H. 527. To amend Section 624 of Title 7 of the 1940 Code of Alabama pertaining to the rights of creditors and beneficiaries under policies of life insurance.

Business and Labor.

By Messrs. Brassell, Cole:

H. 528. To amend Section 179 of Title 51 of the 1940 Code of Alabama, which relates to taxes on manufacturers and sellers of hydro-electric power and steam generated power.

Ways and Means.

By Messrs. Brassell & Cole:

H. 529. To amend Sections 366 and 372 of Title 51 of the 1940 Code, which relate to the securities tax.

Ways and Means.

By Messrs. Brassell & Cole:

H. 530. To provide for distribution to counties of one-half the proceeds of the tax upon manufacturers and sellers of hydro-electric power and steam generated power levied by Section 179 of Title 51 of the 1940 Code, as amended, repealing conflicting laws.

Ways and Means.

By Mr. Pruitt:

H. 531. To regulate the use of State-owned passenger cars; making it unlawful to use a State-owned motor vehicle for personal convenience, pleasure or private business; limiting the number of State-owned passenger cars, and providing for the creation and operation of a motor pool; assignment of passenger cars; maintenance, purchase, and sale of motor vehicles; establishment of property control; and prescribing penalties for violations.

Judiciary.

By Mr. Callahan:

H. 532. To further regulate, define, and fix the duties of the members of the commission board in all cities of this State which have a population exceeding 26,000 inhabitants and not exceeding 36,000 inhabitants according to the latest Federal Decennial Census or which shall hereafter have such number of inhabitants according to any such subsequent Federal Census that may be taken hereafter; and which operates under a Commission board and whose commissioners do not serve on a fulltime basis; and to regulate and fix the salaries of such commissioners and provide for the payment of the same; and to provide an effective date for this act; and to repeal all laws and parts of laws, local, special or general in conflict herewith.

Local Government.

By Mr. Shelton:

H. 533. To provide a method whereby a person who is absent from the county of his or her residence, because of attendance at any public or private institution of higher learning in Alabama, can register to vote.

Constitution and Elections.

By Mr. Buckner:

H. 534. To amend Section 188 of Title 37 of the 1940 Code of Alabama, which relates to the mode of consolidating contiguous municipalities.

Local Government.

BILLS ON THIRD READING

H. 418. To authorize the Court of County Commissioners of Bibb County to provide the Sheriff of Bibb County an automobile for his official use.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|-------------------|----------------|-------------------|----------|
| Mr. Speaker | Cole | George | McGowin |
| Adams (Dale) | Cox | Gibson | Malone |
| Adams (Jefferson) | Crocker | Gillis | Martin |
| Beatty | Davis | Hankins | Mason |
| Benford | Denton | Harrison | Mathison |
| Brannan | Dobbs (Elmore) | Haynes (Franklin) | Meeks |
| Brassell | Dougerty | Haynes (Lowndes) | Merrill |
| Broadwater | Duffee | Head | Miller |
| Buckner | Dyar | Inzer | Mitchell |
| Busby | Evans | Johnston | Molette |
| Bush | Faulk | Knight | Nelson |
| Callahan | Frasier | Larkins | Nettles |
| Cobb | Ganey | Leonard | O'Neal |
| Coburn | Garrett | McClendon | Pinson |

| | | | |
|------------|-----------|-----------------|-------------------|
| Pruitt | Shelton | Sullivan | Weaver |
| Ramey | Shirley | Taylor (Hale) | Whitcomb |
| Richardson | Sightler | Thagard | White (Covington) |
| Roberts | Snodgrass | Thomas | White (Perry) |
| Robinson | Still | Thompson (Pike) | Wood (Bibb) |
| Sadler | Stone | Wallace | Wood (Washington) |
| Sellers | | | |

—81

And the bill:

H. 436. To further define and extend the powers, authority and duties of circuit solicitors of the State of Alabama in judicial circuits having a population of four hundred thousand or more according to the last or any subsequent federal census; to impose extra, new, and additional duties upon such solicitors; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; to make provision for the payment of such additional compensation; to provide the effective date of this act; and to repeal all laws, general, local, and special in conflict with this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Years 81; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | Malone | Sightler |
| Adams (Dale) | Evans | Martin | Snodgrass |
| Beatty | Faulk | Mason | Still |
| Benford | Frasier | Mathison | Stone |
| Bennett | Ganey | Meeks | Sullivan |
| Brassell | Garrett | Merrill | Taylor (Autauga) |
| Broadwater | George | Miller | Taylor (Hale) |
| Brown | Gibson | Mitchell | Thagard |
| Busby | Gillis | Molette | Thomas |
| Bush | Hankins | Nelson | Thomp- |
| Callahan | Harrison | O'Neal | son (Crenshaw) |
| Cobb | Haynes (Franklin) | Pinson | Thompson (Pike) |
| Coburn | Haynes (Lowndes) | Pruitt | Tucker |
| Cole | Inzer | Ramey | Wallace |
| Crocker | Johnston | Richardson | Ward |
| Davis | Knight | Roberts | Weaver |
| Denton | Larkins | Robinson | Whitcomb |
| Dobbs (Elmore) | Leonard | Sadler | White (Covington) |
| Doughty | McClendon | Sellers | White (Perry) |
| Duffee | McGowin | Shirley | Wood (Washington) |
| Dumas | McIlwain | | |

—81

And the bill:

H. 433. To amend Section 2 of Act No. 175 of the Acts of the Legislature of Alabama of 1943, entitled, "An Act to further define and extend the powers, authority and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and

to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act," approved June 17, 1943.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | Martin | Shelton |
| Adams (Dale) | Faulk | Mason | Shirley |
| Beatty | Frasier | Mathison | Snodgrass |
| Benford | Ganey | Meeks | Stone |
| Brannan | Garrett | Merrill | Sullivan |
| Brassell | Gibson | Miller | Taylor (Autauga) |
| Broadwater | Gillis | Mitchell | Taylor (Hale) |
| Buckner | Hankins | Molette | Thomas |
| Busby | Harrison | Nelson | Thomp- |
| Bush | Haynes (Franklin) | Nettles | son (Crenshaw) |
| Callahan | Haynes (Lowndes) | O'Neal | Thompson (Pike) |
| Cobb | Inzer | Pinkston | Tucker |
| Coburn | Johnston | Pinson | Wallace |
| Cole | Kaul | Pruitt | Ward |
| Davis | Knight | Ramey | Weaver |
| Denton | Larkins | Richardson | Whitcomb |
| Dobbs (Elmore) | Leonard | Roberts | White (Covington) |
| Doughty | McClendon | Robinson | White (Perry) |
| Dumas | McIlwain | Sadler | Wood (Washington) |
| Dyar | Malone | Sellers | —78 |

And the bill:

H. 432. To amend Title 13, Section 253, Code of Alabama 1940.

Was taken up.

Mr. Gibson offered the following substitute for the bill, H. 432: Substitute for House Bill 432 by Mr. Gibson:

A BILL TO BE ENTITLED AN ACT

To amend Title 13, Section 253, Code of Alabama 1940.

Be it Enacted by the Legislature of Alabama:

Section 1. That Title 13, Section 253, Code of Alabama 1940, be and the same is hereby amended to read as follows:

Section 253. Salaries of deputy circuit solicitors and assistant deputy circuit solicitor of the tenth judicial circuit. The deputy circuit solicitor of the tenth judicial circuit who is elected by the people shall be paid by the state an annual salary of Four Thousand Eight Hundred Dollars (\$4,800.00), payable as the salaries of other state officers are paid, and in addition to said salary said deputy circuit solicitor shall be paid by the county comprising

said circuit an annual salary of Six Hundred Dollars (\$600.00), payable in equal monthly installments on warrants drawn by the said deputy circuit solicitor. The assistant deputy circuit solicitor of the tenth judicial circuit shall be paid by the state an annual salary of Three Thousand Six Hundred Dollars (\$3,600.00), payable as the salaries of other state officers are paid, and in addition to said salary said assistant deputy circuit solicitor shall be paid by the county comprising said circuit an annual salary of Six Hundred Dollars (\$600.00), payable in equal monthly installments on warrants drawn by the said assistant deputy circuit solicitor. The first, second, and third deputy solicitors of the tenth judicial circuit shall each be paid by the state an annual salary of Four Thousand Two Hundred Dollars (\$4,200.00), payable as the salaries of other state officers are paid, and in addition to said salary paid by the state each of said deputy circuit solicitors shall be paid by the county comprising said judicial circuit, out of the general fund, an annual salary of One Thousand Two Hundred Dollars (\$1,200.00), payable in equal monthly installments on warrants drawn by said deputy circuit solicitors. The fourth, fifth, and sixth deputy circuit solicitors of the tenth judicial circuit shall each be paid by the county comprising said judicial circuit, out of the general fund, an annual salary of Four Thousand Eight Hundred Dollars (\$4,800.00), payable in equal monthly installments on warrants drawn by said deputy circuit solicitors.

Section 2. That this act shall become effective immediately upon its passage, and approval by the governor, or its otherwise becoming a law.

And the substitute was adopted.

Yeas 81; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | Martin | Shelton |
| Adams (Dale) | Evans | Mason | Shirley |
| Barnett | Faulk | Mathison | Snodgrass |
| Beatty | Frasier | Meeks | Still |
| Benford | Ganey | Merrill | Stone |
| Brannan | Garrett | Miller | Sullivan |
| Brassell | Gibson | Mitchell | Taylor (Hale) |
| Broadwater | Gillis | Molette | Thagard |
| Buckner | Hankins | Nelson | Thomas |
| Busby | Harris | Nettles | Thompson |
| Bush | Harrison | O'Neal | son (Crenshaw) |
| Callahan | Haynes (Franklin) | Pinkston | Thompson (Pike) |
| Cobb | Haynes (Lowndes) | Pinson | Tucker |
| Coburn | Inzer | Pruitt | Ward |
| Cole | Johnston | Ramey | Weaver |
| Crocker | Kaul | Richardson | Whitcomb |
| Davis | Knight | Roberts | White (Covington) |
| Denton | Larkins | Robinson | White (Perry) |
| Doughty | Leonard | Sadler | Wood (Bibb) |
| Duffee | McClendon | Sellers | Wood (Washington) |
| Dumas | Malone | | |

And the bill, H. 432, as amended by the substitute offered by Mr. Gibson, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | Malone | Shirley |
| Adams (Dale) | Faulk | Martin | Snodgrass |
| Barnett | Frasier | Mason | Still |
| Beatty | Ganey | Mathison | Stone |
| Benford | Garrett | Meeks | Sullivan |
| Brassell | Gibson | Merrill | Taylor (Autauga) |
| Broadwater | Gillis | Miller | Taylor (Hale) |
| Buckner | Hankins | Mitchell | Thomas |
| Busby | Harris | Molette | Thompson |
| Bush | Harrison | Nelson | son (Crenshaw) |
| Callahan | Haynes (Franklin) | Nettles | Thompson (Pike) |
| Cobb | Haynes (Lowndes) | O'Neal | Tucker |
| Coburn | Howell | Pinkston | Wallace |
| Cole | Inzer | Pinson | Ward |
| Crocker | Johnston | Ramey | Weaver |
| Davis | Kaul | Richardson | Whitcomb |
| Denton | Knight | Roberts | White (Covington) |
| Doughty | Larkins | Robinson | White (Perry) |
| Duffee | Leonard | Sadler | Wood (Bibb) |
| Dumas | McClendon | Sellers | Wood (Washington) |
| Dyar | McIlwain | Shelton | —82 |

And the bill:

H. 372. Relating to sentences imposed by the Recorder's Court of Birmingham, Alabama; and, without limiting the generality of the foregoing, to provide for the suspension of execution, the execution after suspension, and the remission of, such sentences or any part thereof.

Was taken up.

Mr. Gibson offered the following amendment to the bill, H. 372:

That H. 372 be and the same is amended as follows:

FIRST. By adding Section 2a as follows:

"Section 2. A defendant whose sentence, or the unperformed or unexecuted portion thereof has been revoked in accordance with Section 2 of this Act shall have the right within five days after notice of the suspension of his said sentence or the unperformed or unexecuted portion thereof to perfect an appeal from the original judgment of conviction."

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

| | | | |
|--------------|------------|----------|---------|
| Mr. Speaker | Brannan | Busby | Coburn |
| Adams (Dale) | Brassell | Bush | Cole |
| Beatty | Broadwater | Callahan | Cox |
| Benford | Buckner | Cobb | Crocker |

| | | | |
|---------|------------------|------------|-------------------|
| Davis | Harrison | Molette | Snodgrass |
| Denton | Haynes (Lowndes) | Nelson | Still |
| Doughty | Inzer | Nettles | Sullivan |
| Duffee | Johnston | Norman | Taylor (Autauga) |
| Dumas | Kaul | O'Neal | Taylor (Hale) |
| Dyar | Knight | Pinkston | Thomas |
| Evans | Larkins | Pinson | Thompson |
| Faulk | McClendon | Ramey | son (Crenshaw) |
| Ganey | McIlwain | Richardson | Thompson (Pike) |
| Garrett | Malone | Roberts | Tucker |
| George | Martin | Robinson | Wallace |
| Gibson | Mason | Sadler | Weaver |
| Gillis | Mathison | Sellers | Whitcomb |
| Givhan | Meeks | Shelton | White (Covington) |
| Hankins | Merrill | Shirley | White (Perry) |
| Harris | Miller | Sightler | Wood (Washington) |

—79

And said bill, H. 372, as amended by the amendment offered by Mr. Gibson, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|----------------|------------------|------------|-------------------|
| Mr. Speaker | Dumas | McGowin | Sadler |
| Adams (Dale) | Dyar | McIlwain | Sellers |
| Beatty | Evans | Malone | Shelton |
| Benford | Faulk | Martin | Shirley |
| Brannan | Ganey | Mason | Sightler |
| Brassell | Garrett | Mathison | Still |
| Broadwater | George | Meeks | Taylor (Autauga) |
| Buckner | Gibson | Merrill | Taylor (Hale) |
| Busby | Gillis | Miller | Thomas |
| Bush | Hankins | Mitchell | Thompson |
| Callahan | Harris | Nelson | son (Crenshaw) |
| Cobb | Harrison | Nettles | Thompson (Pike) |
| Coburn | Haynes (Lowndes) | O'Neal | Tucker |
| Cole | Howell | Pinkston | Wallace |
| Cox | Ingalls | Pinson | Ward |
| Crocker | Inzer | Pruitt | Weaver |
| Davis | Johnston | Ramey | Whitcomb |
| Denton | Kaul | Richardson | White (Covington) |
| Dobbs (Elmore) | Larkins | Roberts | White (Perry) |
| Doughty | Leonard | Robinson | Wood (Washington) |
| Duffee | McClendon | | |

—81

And the bill:

H. 413. To Amend Section 172, Title 17, of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

| | | | |
|-------------------|---------|------------|---------|
| Mr. Speaker | Barnett | Brannan | Buckner |
| Adams (Dale) | Beatty | Brassell | Busby |
| Adams (Jefferson) | Benford | Broadwater | Bush |

| | | | |
|----------|-------------------|------------|-------------------|
| Callahan | Harris | Merrill | Sightler |
| Coburn | Harrison | Miller | Snodgrass |
| Cole | Haynes (Franklin) | Mitchell | Still |
| Crocker | Haynes (Lowndes) | Molette | Stone |
| Davis | Howell | Nelson | Taylor (Hale) |
| Denton | Ingalls | Nettles | Thomas |
| Doughty | Inzer | Norman | Thomp- |
| Duffee | Johnston | O'Neal | son (Crenshaw) |
| Dumas | Kaul | Pinkston | Thompson (Pike) |
| Dyar | Larkins | Pinson | Tucker |
| Evans | Leonard | Ramey | Wallace |
| Faulk | McClendon | Richardson | Ward |
| Ganey | McIlwain | Roberts | Weaver |
| Garrett | Malone | Robinson | Whitcomb |
| Gibson | Martin | Sadler | White (Covington) |
| Gillis | Mason | Seliers | White (Perry) |
| Givhan | Mathison | Shelton | Wood (Washington) |
| Hankins | Meeks | Shirley | —82 |

And the bill:

H. 414. To Amend Section 111, Title 17 of the Code of Alabama of 1940, as amended by an Act approved July 7, 1943, entitled "An Act to Amend Section 111, of Title 17, of the Code of Alabama of 1940," and by an Act approved July 7, 1945, entitled "An Act to Amend an Act Entitled 'An Act to Amend Section 111 of Title 17, of the Code of Alabama of 1940, approved July 7, 1943'."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dyar | McIlwain | Sellers |
| Adams (Jefferson) | Evans | Mason | Shirley |
| Beatty | Faulk | Mathison | Sightler |
| Benford | Ganey | Meeks | Snodgrass |
| Brannan | Garrett | Merrill | Still |
| Brassell | Gibson | Miller | Sullivan |
| Broadwater | Gillis | Mitchell | Taylor (Autauga) |
| Buckner | Givhan | Molette | Taylor (Hale) |
| Busby | Hankins | Nelson | Thomas |
| Bush | Harris | Nettles | Thomp- |
| Callahan | Harrison | Norman | son (Crenshaw) |
| Cobb | Haynes (Lowndes) | O'Neal | Thompson (Pike) |
| Coburn | Head | Pinkston | Tucker |
| Cole | Inzer | Pinson | Wallace |
| Cox | Johnston | Pruitt | Ward |
| Crocker | Kaul | Ramey | Weaver |
| Davis | Knight | Richardson | Whitcomb |
| Denton | Larkins | Roberts | White (Covington) |
| Duffee | Leonard | Robinson | White (Perry) |
| Dumas | McClendon | Sadler | Wood (Washington) |

—78

And the bill:

H. 415. To Amend Section 105, Title 17, of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Faulk | Mason | Shirley |
| Adams (Dale) | Ganey | Mathison | Sightler |
| Adams (Jefferson) | Gibson | Meeks | Still |
| Beatty | Gillis | Merrill | Stone |
| Benford | Givhan | Miller | Sullivan |
| Brannan | Hankins | Mitchell | Taylor (Autauga) |
| Broadwater | Harris | Molette | Taylor (Hale) |
| Buckner | Harrison | Nelson | Thomas |
| Bush | Haynes (Lowndes) | O'Neal | Thomp- |
| Callahan | Head | Pinkston | son (Crenshaw) |
| Cobb | Howell | Pinson | Thompson (Pike) |
| Coburn | Inzer | Pruitt | Tucker |
| Cox | Johnston | Ramey | Wallace |
| Crocker | Kaul | Richardson | Ward |
| Davis | Knight | Roberts | Weaver |
| Denton | Larkins | Robinson | Whitcomb |
| Doughty | Leonard | Sadler | White (Covington) |
| Duffee | McClendon | Sellers | White (Perry) |
| Dumas | Martin | Shelton | Wood (Washington) |
| Dyar | | | |

—76

And the bill:

H. 416. To Amend Section 84, Title 17, of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Duffee | Mason | Sightler |
| Adams (Dale) | Dumas | Meeks | Snodgrass |
| Adams (Jefferson) | Dyar | Merrill | Still |
| Barnett | Faulk | Miller | Taylor (Autauga) |
| Benford | Ganey | Mitchell | Taylor (Hale) |
| Bennett | George | Molette | Thomas |
| Brannan | Gibson | Nelson | Thomp- |
| Brassell | Harris | Nettles | son (Crenshaw) |
| Broadwater | Harrison | O'Neal | Thompson (Pike) |
| Buckner | Haynes (Lowndes) | Pinkston | Tucker |
| Bush | Howell | Ramey | Wallace |
| Callahan | Inzer | Richardson | Ward |
| Cobb | Kaul | Roberts | Weaver |
| Coburn | Larkins | Robinson | Whitcomb |
| Cole | Leonard | Rogers | White (Covington) |
| Crocker | McClendon | Sadler | White (Perry) |
| Davis | Malone | Sellers | Wood (Bibb) |
| Denton | Martin | Shirley | Wood (Washington) |
| Doughty | | | |

—72

And the bill:

H. 417. To Amend Section 81, Title 17, of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Doughty | Larkins | Sellers |
| Adams (Dale) | Duffee | Leonard | Shirley |
| Adams (Jefferson) | Dumas | McClendon | Sightler |
| Barnett | Dyar | McIlwain | Snodgrass |
| Beatty | Evans | Malone | Still |
| Benford | Faulk | Martin | Stone |
| Bennett | Ganey | Mason | Sullivan |
| Brannan | Garrett | Mathison | Taylor (Autauga) |
| Brassell | George | Meeks | Taylor (Hale) |
| Broadwater | Gibson | Merrill | Thomas |
| Buckner | Gillis | Miller | Thomp- |
| Busby | Givhan | Mitchell | son (Crenshaw) |
| Bush | Hankins | Molette | Thompson (Pike) |
| Callahan | Harris | Nelson | Tucker |
| Cobb | Harrison | Nettles | Wallace |
| Coburn | Haynes (Franklin) | Pinkston | Ward |
| Cole | Haynes (Lowndes) | Pruitt | Weaver |
| Cox | Head | Ramey | Whitcomb |
| Crocker | Howell | Richardson | White (Covington) |
| Davis | Inzer | Roberts | White (Perry) |
| Denton | Johnston | Rogers | Wood (Bibb) |
| Dobbs (Elmore) | Kaul | Sadler | Wood (Washington) |

—87

And the bill:

H. 440. To regulate the Municipal Court of Birmingham (Third Division); to alter the name of the said Court; to fix the return dates of executions issued therefrom; to provide for continuance of cases therein to allow time for answering by defendant as now or may be hereafter provided by law; to provide for appointment and compensation of temporary judges therefor; to provide for vacations for the regular judge of said Court; to fix the salary of the regular judge of said Court and regulate the payment thereof; and to prescribe the duties of the clerk of the said Court and of other officers with respect to the said Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|-------------------|------------|----------|---------|
| Mr. Speaker | Benford | Busby | Cole |
| Adams (Dale) | Bennett | Bush | Cox |
| Adams (Jefferson) | Brannan | Callahan | Crocker |
| Barnett | Broadwater | Cobb | Davis |
| Beatty | Buckner | Coburn | Denton |

| | | | |
|-------------------|-----------|------------|-------------------|
| Dobbs (Elmore) | Head | Nelson | Taylor (Autauga) |
| Duffee | Howell | Nettles | Thagard |
| Dumas | Johnston | O'Neal | Thomas |
| Dyar | Larkins | Pinkston | Thomp- |
| Evans | Leonard | Pinson | son (Crenshaw) |
| Faulk | McClendon | Pruitt | Thompson (Pike) |
| Frasier | Malone | Ramey | Tucker |
| Ganey | Martin | Richardson | Wallace |
| Garrett | Mason | Roberts | Ward |
| Gibson | Mathison | Robinson | Weaver |
| Gillis | Meeks | Sellers | Whitcomb |
| Hankins | Merrill | Shirley | White (Covington) |
| Harris | Miller | Sightler | White (Perry) |
| Harrison | Mitchell | Snodgrass | Wood (Bibb) |
| Haynes (Franklin) | Molette | Stone | Wood (Washington) |
| Haynes (Lowndes) | | | |

—80

And the bill:

H. 438. To further amend sections 2 and 7 of the act establishing the Intermediate Civil Court of Birmingham, approved September 7, 1935 (Local Acts of Alabama, page 219), as amended by the act approved June 24, 1943 (Local Acts of Alabama, page 141).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | McClendon | Shirley |
| Adams (Dale) | Dyar | Malone | Sightler |
| Adams (Jefferson) | Evans | Martin | Snodgrass |
| Barnett | Faulk | Mason | Still |
| Beatty | Frasier | Mathison | Stone |
| Benford | Ganey | Meeks | Sullivan |
| Brannan | Garrett | Merrill | Taylor (Autauga) |
| Brassell | Gibson | Miller | Taylor (Hale) |
| Broadwater | Gillis | Mitchell | Thagard |
| Buckner | Givhan | Molette | Thomas |
| Busby | Hankins | Nelson | Thomp- |
| Bush | Harris | Nettles | son (Crenshaw) |
| Callahan | Harrison | O'Neal | Thompson (Pike) |
| Cobb | Haynes (Franklin) | Pinkston | Tucker |
| Coburn | Haynes (Lowndes) | Pinson | Wallace |
| Cole | Head | Ramey | Ward |
| Cox | Howell | Richardson | Weaver |
| Crocker | Inzer | Roberts | Whitcomb |
| Davis | Johnston | Robinson | White (Covington) |
| Denton | Knight | Rogers | White (Perry) |
| Dobbs (Elmore) | Larkins | Sellers | Wood (Bibb) |
| Doughty | Leonard | Shelton | Wood (Washington) |
| Duffee | | | |

—88

And the bill:

H. 437. To establish an inferior court of record to be called the Bessemer Civil and Misdemeanor Court; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other offi-

cers of said Court; to fix the terms or tenures of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

| | | | |
|-------------------|--------------------------|---------------|-------------------|
| Mr. Speaker | Duffee | Leonard | Shelton |
| Adams (Dale) | Dumas | McClendon | Shirley |
| Adams (Jefferson) | Dyar | McIlwain | Sightler |
| Barnett | Evans | Malone | Snodgrass |
| Beatty | Faulk | Martin | Still |
| Benford | Ganey | Mason | Stone |
| Bennett | Garrett | Mathison | Sullivan |
| Brannan | George | Meeks | Taylor (Autauga) |
| Brassell | Gibson | Merrill | Taylor (Hale) |
| Broadwater | Gillis | Miller | Thomas |
| Buckner | Givhan | Mitchell | Thomp- |
| Busby | Hankins | Molette | son (Crenshaw) |
| Bush | Harris | Nelson | Thompson (Pike) |
| Callahan | Harrison | Nettles | Tucker |
| Cobb | Haynes (Franklin) | O'Neal | Wallace |
| Coburn | Haynes (Lowndes) | Pinkston | Ward |
| Cole | Head | Pinson | Weaver |
| Cox | Howell | Ramey | Whitcomb |
| Crocker | Inzer | Richardson | White (Covington) |
| Davis | Johnston | Roberts | White (Perry) |
| Denton | Knight | Robinson | Wood (Bibb) |
| Doughty | Larkins | Sellers | Wood (Washington) |

—87

And the bill:

H. 442. Fixing the Compensation or Salary of the Members of the Court of County Commissioners of Marshall County, Alabama, and requiring that they devote their full time to the duties of their office and to provide for the manner and method of such payment and to provide pickup truck for their use, and to provide when this act shall go into effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | Malone | Shirley |
| Adams (Dale) | Faulk | Martin | Snodgrass |
| Adams (Jefferson) | Frasier | Mason | Still |
| Benford | Ganey | Mathison | Stone |
| Brannan | Garrett | Meeks | Sullivan |
| Brassell | Gibson | Merrill | Taylor (Autauga) |
| Broadwater | Gillis | Miller | Taylor (Hale) |
| Brown | Hankins | Mitchell | Thomas |
| Buckner | Harrison | Molette | Thomp- |
| Busby | Haynes (Franklin) | Nelson | son (Crenshaw) |
| Bush | Haynes (Lowndes) | Nettles | Thompson (Pike) |
| Callahan | Head | O'Neal | Tucker |
| Cobb | Howell | Pinkston | Wallace |
| Coburn | Inzer | Ramey | Ward |
| Cole | Johnston | Richardson | Weaver |
| Davis | Knight | Roberts | Whitcomb |
| Denton | Larkins | Robinson | White (Covington) |
| Doughty | Leonard | Sadler | White (Perry) |
| Duffee | McClendon | Sellers | Wood (Bibb) |
| Dumas | McIlwain | Shelton | Wood (Washington) |
| Dyar | | | |

—80

BILLS INDEFINITELY POSTPONED

On motion of Mr. Dumas the bills, S. 92 and S. 93, were indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 405. To amend Section 187 of Title 13, Code of Alabama of 1940 as said Section was last amended by the Act approved July 6, 1943, entitled "AN ACT To Amend Section 187 of Title 13, Code of Alabama of 1940."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|----------------|------------------|------------|
| Mr. Speaker | Cole | Haynes (Lowndes) | Molette |
| Adams (Dale) | Cox | Head | Nelson |
| Adams (Jefferson) | Davis | Howell | Nettles |
| Barnett | Dobbs (Elmore) | Inzer | Pinkston |
| Benford | Doughty | Johnston | Ramey |
| Bennett | Duffee | Knight | Richardson |
| Brannan | Dumas | Larkins | Roberts |
| Brassell | Dyar | Leonard | Robinson |
| Broadwater | Evans | McClendon | Rogers |
| Brown | Faulk | McIlwain | Sadler |
| Buckner | Frasier | Martin | Sellers |
| Busby | Ganey | Mason | Shelton |
| Bush | Garrett | Mitchell | Shirley |
| Callahan | Gillis | Mathison | Snodgrass |
| Cobb | Hankins | Merrill | Still |
| Coburn | Harrison | Miller | Stone |

| | | | |
|---------------------|-----------------|-------------------|-------------------|
| Sullivan | Thompson (Pike) | Weaver | White (Perry) |
| Taylor (Hale) | Tucker | Whitcomb | Wood (Bibb) |
| Thomas | Wallace | White (Covington) | Wood (Washington) |
| Thompson (Crenshaw) | Ward | | |

—78

And the bill:

S. 174. To authorize and empower the Board of Revenue and Control of Morgan County, Alabama, or other like governing body of said county, to pay from the general fund of said county, the premium on the bond of the Chief Clerk of the Probate Court when the same is made by a Surety Company, and to provide for the repeal of all laws in conflict with this Act and the effective date of this Act.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dobbs (Elmore) | McIlwain | Snodgrass |
| Adams (Dale) | Doughty | Martin | Stewart |
| Adams (Jefferson) | Duffee | Mason | Still |
| Barnett | Dumas | Mathison | Stone |
| Beatty | Dyar | Meeks | Sullivan |
| Benford | Evans | Merrill | Taylor (Autauga) |
| Bennett | Faulk | Miller | Taylor (Hale) |
| Brannan | Frasier | Mitchell | Thomas |
| Brassell | Ganey | Molette | Thompson (Crenshaw) |
| Broadwater | Garrett | Nelson | Thompson (Pike) |
| Brown | Gibson | Nettles | Tucker |
| Buckner | Gillis | O'Neal | Wallace |
| Busby | Hankins | Pinkston | Ward |
| Bush | Harris | Ramey | Weaver |
| Callahan | Haynes (Franklin) | Richardson | Whitcomb |
| Cobb | Head | Roberts | White (Covington) |
| Coburn | Howell | Rogers | White (Perry) |
| Cole | Inzer | Sadler | Wood (Bibb) |
| Cox | Larkins | Shelton | Wood (Washington) |
| Davis | Leonard | Shirley | |
| Denton | McClendon | Sightler | |

—82

And the bill:

H. 447. To amend Section 1 of an Act approved July 10, 1940, entitled, "An Act To allow the Sheriff of Randolph County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Randolph County, Alabama, in monthly installments, and to require said deputy to give bond in the sum of two thousand dollars payable to the Sheriff, with conditions as required by Section 2595 of the Code of Alabama, 1923".

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Larkins | Sellers |
| Adams (Dale) | Doughty | Leonard | Shelton |
| Adams (Jefferson) | Duffee | McClendon | Shirley |
| Barnett | Dyar | McIlwain | Sightler |
| Benford | Evans | Martin | Snodgrass |
| Bennett | Faulk | Mason | Still |
| Brannan | Frasier | Mathison | Sullivan |
| Brassell | Ganey | Meeks | Taylor (Autauga) |
| Broadwater | Garrett | Merrill | Taylor (Hale) |
| Buckner | George | Miller | Thomp- |
| Busby | Gibson | Mitchell | son (Crenshaw) |
| Bush | Gillis | Molette | Thompson (Pike) |
| Callahan | Hankins | Nelson | Wallace |
| Cobb | Harrison | Nettles | Ward |
| Coburn | Haynes (Franklin) | O'Neal | Weaver |
| Cole | Haynes (Lowndes) | Pinkston | Whitcomb |
| Cox | Head | Ramey | White (Covington) |
| Crocker | Howell | Roberts | White (Perry) |
| Davis | Inzer | Robinson | Wood (Bibb) |
| Denton | Johnston | Rogers | Wood (Washington) |

—79

And the bill:

H. 445. To provide for the payment of a mileage allowance to the Chief Deputy Sheriff of Randolph County in addition to a salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Doughty | Leonard | Shirley |
| Adams (Dale) | Duffee | McClendon | Sightler |
| Adams (Jefferson) | Dumas | McIlwain | Snodgrass |
| Barnett | Evans | Martin | Stewart |
| Benford | Faulk | Mason | Still |
| Bennett | Frasier | Mathison | Sullivan |
| Brannan | Ganey | Merrill | Taylor (Autauga) |
| Brassell | Garrett | Miller | Taylor (Hale) |
| Broadwater | George | Mitchell | Thomas |
| Buckner | Gillis | Molette | Thomp- |
| Busby | Hankins | Nelson | son (Crenshaw) |
| Bush | Harrison | Nettles | Thompson (Pike) |
| Callahan | Haynes (Franklin) | O'Neal | Wallace |
| Cobb | Haynes (Lowndes) | Pinkston | Ward |
| Coburn | Head | Ramey | Weaver |
| Cole | Howell | Roberts | Whitcomb |
| Cox | Ingalls | Robinson | White (Covington) |
| Crocker | Inzer | Rogers | White (Perry) |
| Davis | Johnston | Sellers | Wood (Bibb) |
| Denton | Larkins | Shelton | Wood (Washington) |
| Dobbs (Elmore) | | | |

—80

And the bill:

H. 87. To repeal all laws or parts of laws that require the payment of a license, tax, excise, or fee for the privilege of taking, capturing, or killing foxes.

Was taken up.

Mr. Garrett offered the following substitute for the Bill, H. 87:

Garrett substitute for H. 87:

A BILL TO BE ENTITLED AN ACT

To create for each county a Board of Fox Control with power to offer a bounty for foxes killed in the county; providing for payment of the bounty.

Be it Enacted by the Legislature of Alabama:

Section 1. There is created for each county a Board of Fox Control, consisting of the chairman of the county governing body, the President of the Alabama Foxhunters' Association, and the State Director of Conservation. The board shall meet at the call of the chairman of the county governing body, who shall be president of the board. Action of the board shall be taken by a majority vote of its membership. Members of the board shall serve without compensation.

Section 2. Whenever in its opinion the public health or welfare requires reduction of the number of foxes in the county, the board may order, by formal resolution filed with the Judge of Probate and the Director of Conservation, the payment, under such conditions and through such procedures as it may prescribe, of a bounty of two dollars for each fox killed within the county. The order of the board may be rescinded, by a resolution similarly filed, at any time.

Section 3. The governing body of each county is hereby authorized and directed to appropriate sufficient moneys from general funds of the county for the payment of bounties ordered by the board under this Act. By the tenth day of each month, the chairman of the county governing body shall certify to the Director of Conservation the amount of bounties paid during the preceding month, whereupon the Director of Conservation shall authorize and direct the State Comptroller to draw a proper warrant against the Conservation Fund in favor of the county as reimbursement for one-half such amount. There is hereby continuously appropriated from the Conservation Fund such sum as may be necessary for the purpose of this Section.

Section 4. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

POINT OF ORDER

The point of order raised by Mr. Adams (Jefferson) that the Substitute offered by Mr. Garrett was not germane to the bill, H. 87, was sustained by the Chair.

And said bill, H. 87, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 21.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Messrs.: | Doughty | Larkins | Shirley |
| Adams (Jefferson) | Duffee | McClendon | Sightler |
| Beatty | Dumas | McDanal | Still |
| Benford | Dyar | McIlwain | Stone |
| Bennett | Evans | Malone | Taylor (Hale) |
| Brannan | Ganey | Mathison | Thagard |
| Brassell | George | Meeks | Thomas |
| Brown | Gibson | Merrill | Thomp- |
| Buckner | Gillis | Nelson | son (Crenshaw) |
| Busby | Harrison | Norman | Thompson (Pike) |
| Bush | Haynes (Franklin) | O'Neal | Tucker |
| Cobb | Haynes (Lowndes) | Pinkston | Wallace |
| Coburn | Hornsby | Ramey | Ward |
| Cole | Howell | Robinson | Weaver |
| Cox | Ingalls | Rogers | Whitcomb |
| Crocker | Johnston | Sadler | White (Covington) |
| Dobbs (Elmore) | Kaul | Sellers | Wood (Washington) |

—66

Nays:

| | | | |
|--------------|---------|----------|------------------|
| Messrs.: | Frasier | Knight | Molette |
| Adams (Dale) | Garrett | Martin | Nettles |
| Broadwater | Givhan | Mason | Roberts |
| Callahan | Harris | Miller | Taylor (Autauga) |
| Davis | Head | Mitchell | White (Perry) |
| Faulk | Inzer | | |

—21

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following the Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Hardwick:

S. 137. To provide for licensing manufacturers, distillers, producers, distributors of and persons selling, attempting to sell, or acting as a broker for persons selling alcoholic liquors to the Alabama Alcoholic Beverage Control Board.

Also:

By Mr. Hooton:

S. 186. To amend Section 43, Title 46 of the Code of Alabama of 1940.

Also:

By Mr. Russell:

S. 180. To amend Section 395, Title 14, Code of Alabama 1940.

Also:

By Mr. Fite:

S. 30. To propose an amendment to the Constitution of Alabama relative to the establishment and abolition of divisions and branches of courts of record and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next general election in November, 1948, at which the amendment is proposed.

Also:

By Mr. Langan:

S. 103. To authorize counties and municipalities to insure their employees against personal injury or death caused by accident or violence while discharging their duties as such employees.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 137. Ways and Means

S. 186. Judiciary

S. 180. Judiciary

S. 30. Proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

S. 103. Local Government

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:45 A.M. on June 27, 1947.

H. 13

H. 86

H. 89

H. 96

H. 102

H. 258

R. T. GOODWYN, JR.,
Clerk.

BILL INDEFINITELY POSTPONED

On motion of Mr. Miller the bill, H. 319, was indefinitely postponed.

BILL RE-REFERRED

On motion of Mr. Wallace the bill, H. 386, was re-referred from the Standing Committee on Local Government to the Standing Committee on Ways and Means.

ADJOURNMENT

On motion of Mr. Evans the House, in accordance with H.J.R. 30 heretofore adopted, adjourned until Tuesday, July 1, 1947, at 10 o'clock A. M.

ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 1, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Rev. Welton Gregory, Executive Secretary, Board of Christian Education, Alabama Conference, The Methodist Church.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

| | | | |
|-------------------|-----------------|-------------------|-----------|
| Mr. Speaker | Callahan | Frasier | Ingalls |
| Adams (Dale) | Cobb | Ganey | Inzer |
| Adams (Jefferson) | Coburn | Garrett | Johnston |
| Barnett | Cox | George | Kaul |
| Beatty | Crocker | Gibson | Knight |
| Benford | Davis | Gillis | Larkins |
| Bennett | Denton | Givhan | Leonard |
| Black | Dobbs (Elmore) | Hankins | Lovelace |
| Brannan | Dobbs (Fayette) | Harris | McClendon |
| Brassell | Doughty | Harrison | McDanal |
| Broadwater | Duffee | Haynes (Franklin) | McDonald |
| Brown | Dumas | Haynes (Lowndes) | McGowin |
| Buckner | Dyar | Head | McIlwain |
| Busby | Evans | Hornsby | Malone |
| Bush | Faulk | Howell | Martin |

| | | | |
|----------|------------|------------------|-------------------|
| Mason | Pinson | Snodgrass | Thompson (Pike) |
| Mathison | Pruitt | Stewart | Tucker |
| Meeks | Ramey | Still | Vann |
| Merrill | Richardson | Stone | Wallace |
| Miller | Roberts | Sullivan | Ward |
| Mitchell | Robinson | Taylor (Autauga) | Weaver |
| Molette | Rogers | Taylor (Hale) | Whitcomb |
| Nelson | Sadler | Thagard | White (Covington) |
| Nettles | Sellers | Thomas | White (Perry) |
| Norman | Shelton | Thomp- | Wood (Bibb) |
| O'Neal | Shirley | son (Crenshaw) | Wood (Washington) |
| Pinkston | Sightler | | —105 |

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the tenth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the tenth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 181. To amend Section 496, Title 37, Code of 1940.

Also:

H. 115. To amend section 247 of title 29, of the 1940 code of Alabama, pertaining to the seizure and forfeiture of conveyances and vehicles transporting prohibited liquors and beverages.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Allen:

S. 155. Proposing an amendment to the Constitution of Alabama relative to evidences of indebtedness issued by the State and its political subdivisions and providing for an election thereon.

Also:

By Mr. Langan:

S. 190. To Provide for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

Also:

By Mr. Mize:

S. 214. To provide the School of Law of the University of Alabama with additional copies of official State publications for exchange purposes.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 155. And said bill, S. 155, proposing an amendment to the Constitution was read one time at length and referred to the Standing Committee on Constitution and Elections.

S. 190. Judiciary

S. 214. Judiciary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Clayton:

S. 125. To provide for the orderly administration of public assistance, and to give the grand juries of the respective counties the right to examine and verify in their discretion the lists of recipients of public assistance within the respective counties and to prohibit the disclosure or private use of information made available by reason of this act.

Also:

By Messrs. Lowe, Allen, Boutwell and Henderson:

S. 88. To amend Section 157 of Title 55 of the 1940 Code of Alabama.

Also:

By Mr. Fite:

S. 215. To apply in, but only in, judicial circuits composed of only three counties and having only two circuit judges, and which said judicial circuits have a population of not less than 100,000 nor more than 128,000, according to the last or any subsequent, Federal Census; and to designate the places of residence of said circuit judges in said circuits.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 125. Public Welfare

S. 88. State Administration

S. 215. Judiciary

REPORT OF STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bills, to wit;

H. 95. To Amend Section 776, Title 51, Article 10, Chapter 20, Code of Alabama 1940.

Also:

H. 101. To provide for the transfer of \$150,000.00 in the State Treasury to the credit of the Tax Token Redemption Fund in the fiscal year ending September 30, 1948, and to provide for the transfer of any balance in the Tax Token Redemption Fund in the fiscal year ending September 30, 1949, to the Alabama Special Educational Trust Fund.

Also:

H. 133. To fix the salary of the Deputy Solicitor for Calhoun County, Alabama, at three thousand dollars per year, and to provide for the payment thereof.

Also:

H. 171. To provide for the appointment of a deputy clerk of the Circuit Court of Cullman County, Alabama; to prescribe the duties, powers and authority and fix the compensation and salary of such deputy clerk and to designate the method of payment and the fund from which said compensation and salary is payable. To

repeal all laws in conflict with the provisions of this Act; to provide that the partial invalidity of this Act shall not affect the remainder hereof; and to fix the time when this Act shall become effective.

Also:

H. 203. To Amend Sections 1, 6, 8, 14 and 28 of An Act entitled An Act "To Establish a Law and Equity Court for Lauderdale County, to define its jurisdiction and powers; to provide for its officers, their duties and powers and compensation; to provide for trial tax and other fees; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure for said court; to provide for an official court reporter for said court and fix his compensation, and to provide for the transfer of causes now or hereafter pending in the County and Circuit Court of Lauderdale County, Alabama, to the Law and Equity Court; to abolish the County Court of Lauderdale County, and the office of Deputy Solicitor for Lauderdale County", approved May 29, 1931.

Also:

H. 252. To alter, rearrange, and extend the boundary lines of the City of Andalusia in Covington County, Alabama.

Also:

H. 259. To provide for the appointment of a Deputy Clerk of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

Also:

H. 260. For the relief of John H. Green.

Also:

H. 261. To amend an act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as last amended.

Also:

H. 262. To provide that justices of the peace and notaries public ex officio justices of the peace in Beat One in Morgan County, Alabama shall have territorial jurisdiction coextensive with the limits of Morgan County, Alabama.

Also:

H. 263. To provide for the appointment of a Deputy Register of the Circuit Court of Morgan County, and of the Morgan County Court of Morgan County, and to prescribe the duties and fix the compensation and salary of such deputy.

Also:

H. 278. To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama.

Also:

H. 290. To provide for the compensation of election officers in Tuscaloosa County, Alabama.

Also:

H. 291. To provide for the compensation of jurors in Tuscaloosa County, Alabama.

Also:

H. 300. To amend Section 1 of Act 124, Local Acts of 1935, Page 57, "To provide the Sheriff of Covington County, Alabama, an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy and to make the same payable in equal monthly installments from the General Funds of Covington County; to repeal 1931 Local Act and all other laws in conflict herewith."

Also:

H. 305. To amend Section 2 of An Act entitled An Act to provide for the election of a County Superintendent of Education for Cleburne County, Alabama, by the qualified voters of Cleburne County, Alabama, at the General Election in 1928 and every four years thereafter, to prescribe his qualifications, fix his term of office, prescribe his duties, and to fix his salary and provide the manner of payment of same. Approved September 6th, 1927.

Also:

H. 307. To fix the Ex Officio fees of the Clerk of the Circuit Court of Talladega County, Alabama at the sum of \$1800.00 per year; to provide for the manner of payment of same; and to repeal all laws or parts of laws in conflict therewith.

Also:

H. 322. To repeal Act 627, approved July 10, 1940, entitled, "To prohibit the use of steel traps and similar devices in Lowndes County, Alabama, and prescribe punishment for violation of this act."

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE
ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bills, to wit;

H. 115. To amend section 247 of title 29, of the 1940 code of Alabama, pertaining to the seizure and forfeiture of conveyances and vehicles transporting prohibited liquors and beverages.

Also:

H. 181. To amend Section 496, Title 37, Code of 1940.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and presiding officer of the Senate having signed the following Senate bill, your signature thereto is requested:

S. 174. To authorize and empower the Board of Revenue and Control of Morgan County, Alabama, or other like governing body of said county, to pay from the general fund of said county, the premium on the bond of the Chief Clerk of the Probate Court when the same is made by a Surety Company, and to provide for the repeal of all laws in conflict with this Act and the effective date of this Act.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, the title to which is set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution your signature thereto is requested:

Senate Joint Resolution No. 21. Relative to: The barbecue at Kilby Prison.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and send same herewith to the House:

By Mr. Langan:

S. 60. To amend Section 630 of Title 7 of the Code of Alabama of 1940.

Also:

By Mr. Hooton:

S. 187. To Amend Section 65, Title 58 of the Code of Alabama of 1940.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 60. Judiciary

S. 187. Judiciary

RESOLUTIONS

The following resolutions were introduced:

By Mr. Adams (Jefferson):

H.J.R. 31. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that there be a joint session of the two Houses in the Hall of the House of Representatives at 11:30 today for the purpose of viewing a motion picture showing the relation of coal to agriculture, called "Plant Life from Coal."

On motion of Mr. Adams (Jefferson) the rules were suspended and H.J.R. 31 was adopted.

By Mr. Johnston:

H.R. 32. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that House Bills 66, 68, 69, 70, 51 and 79 be made special, continuing and paramount orders for the 13th Legislative Day.

On motion of Mr. Johnston the rules were suspended and H.R. 32 was adopted.

By Mr. Snodgrass:

H.J.R. 33. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Thursday, July 3, 1947, at 10 o'clock A.M., and that when they adjourn July 3rd, they adjourn to meet again on Tuesday, July 8, 1947, at 10 o'clock A.M.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 33 was adopted.

By Mr. Sullivan:

H.R. 34. BE IT RESOLVED by the House of Representatives that only local bills and general bills with local application be considered at the session to be held on Thursday, July 3, 1947.

On motion of Mr. Sullivan the rules were suspended and H.R. 34 was adopted.

By Messrs. Busby and Ingalls:

H.J.R. 35. WHEREAS, the Montgomery Baseball Club was in second place in the standing in the Southeastern Baseball League when it left on a road trip recently, and,

WHEREAS, Southern hospitality on the part of the teams whose cities it visited on said road trip, primarily Selma, Anniston, and Gadsden, should have entitled the said Montgomery Baseball Club to kind and courteous treatment, and,

WHEREAS, said opposing teams failed and refused to accord the visiting Montgomery team such treatment and, on the contrary were exceedingly discourteous and in no wise in accordance with the time honored traditions of the South in regard to hospitality, and,

WHEREAS, because of such flagrant lack of consideration the Montgomery team has returned home sixth place instead of second place,

NOW, THEREFORE, be it resolved that the House of Representatives, Senate concurring, do hereby protest the unkind treatment shown said Montgomery Baseball Club by other teams in the Southeastern League, and respectfully urges closer attention to the traditions of Southern hospitality.

The above and foregoing H.J.R. 35 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 31. Relative to the two houses convening in joint session at 11:30 today for the purpose of viewing a motion picture called "Plant Life From Coal."

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Patterson:

S.J.R. 22. Be it resolved by the Senate, the House concurring, that when the two houses adjourn today, they adjourn to meet again on Thursday, July 3, 1947, at 9 A.M.

Be it further resolved that when the two houses adjourn Thursday, July 3, 1947, that they adjourn to meet again on Tuesday, July 8, 1947, at 10 A.M.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the House concurred in and adopted the S.J.R. 22 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 17. To authorize the Board of Revenue of Calhoun County, Alabama to purchase radios, machine guns, ammunition, and any other equipment that the said Board of Revenue may deem necessary for proper law enforcement for the use of the Sheriff of Calhoun County.

By a majority vote of the whole number elected to the Senate, said vote being: Yeas 25 Nays 0.

And said bill, as thus amended by the executive amendment was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate said vote being: Yeas 22 Nays 0.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith returned to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 325. To create the office of County Solicitor of Autauga County, Alabama; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; to define his qualifications; and to repeal all general and local laws in conflict herewith so far as they relate to Autauga County.

Also:

H. 326. To Amend Section 5 of an Act Entitled "An Act To Establish a Board of Revenue for Autauga County and to define the Powers and Duties of said Board of Revenue" Approved February 27, 1879.

Also:

H. 327. To authorize and empower the Judge of Probate of Autauga County, Alabama, to appoint a Chief Clerk, and to fix the salary and to provide the method of payment of salary of said Chief Clerk.

Also:

H. 328. To abolish the office of deputy solicitor of Autauga County, Alabama, to fix the time when such office shall be abolished, and to provide that such bill shall not affect any general, special, or local laws except as herein provided for.

Also:

H. 329. To authorize and empower the Board of Revenue of Autauga County, Alabama, to expend County Funds not exceeding \$3000.00 per annum for purposes not otherwise provided by law.

Also:

H. 353. To amend Section 597, Title 62, Code of Alabama of 1940, relating to the publication of lists of persons drawing compensation from certain cities and towns.

Also:

H. 361. To amend Section 1 of Act 177, approved June 17, 1943, which fixes the compensation of the sheriff of Montgomery County and provides for help and assistants and other expense in the office of the sheriff, by increasing the allowance for help and assistants, and increasing the compensation for the sheriff.

Also:

H. 363. To amend Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on June 28, 1940, entitled an Act: "To authorize and empower the Board of Revenue of Montgomery County, Alabama, in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$600.00 per annum to the support of the Montgomery Museum of Fine Arts. Said sum to be paid in equal monthly installments."

Also:

H. 367. To fix the compensation of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide for clerical help and other assistance to said Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for other contingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require said Judge of Probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by law to be collected by said Judge of Probate as other moneys belonging to said county are paid.

Also:

H. 368. To fix the salary of the Deputy Clerk of the Court of Common Pleas of Montgomery.

Also:

H. 395. To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis.

BILLS ON SECOND READING

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Meeks, Adams (Jefferson), Gibson, Dumas, Beatty, and Sadler:

H. 513. To Alter and extend the boundaries of the City of Birmingham, to provide for an election to submit to the qualified voters of the territory to be annexed to said City of Birmingham for their approval or rejection of such alterations and extension.

By Messrs. Meeks, Adams (Jefferson), Beatty, Dumas, Gibson, Kaul, Sadler:

H. 514. For the relief of Ruth E. Pugh and to authorize and direct the City of Birmingham to pay to said Ruth E. Pugh \$2,500 for injuries received when she was struck by a City of Birmingham fire truck.

By Messrs. Dumas, Beatty, Meeks, Sadler, Kaul, Adams (Jefferson):

H. 516. For the relief of Luther L. Donaldson, in the sum of \$300.00, covering actual loss and expense sustained by him as a proximate consequence of the negligence of an agent, servant or employee of Jefferson County, Alabama, while acting within the line and scope of his employment, in negligently driving a tractor into Luther L. Donaldson's minor son, Luther Tolson Donaldson, also into the automobile of Luther L. Donaldson on, to-wit, July 12, 1945, in Jefferson County, Alabama, about one mile west of Price's Store on the Glenwood Road between Morris and Crosston, said sum covering actual damages to Luther L. Donaldson's said automobile, and actual expense sustained by him as approximate consequence of medical expenses to his said minor son, as aforesaid, loss of time from his work as a proximate consequence thereof, and damages to his said automobile.

By Messrs. Dumas, Beatty, Sadler, Kaul, Meeks, and Adams (Jefferson):

H. 515. For the relief of Luther Tolson Donaldson, a minor twelve years of age, in the sum of \$2,200.00, in that on, to-wit, July 12, 1945, a duly authorized agent, servant, or employee of Jefferson County, Alabama, negligently drove a tractor into the said Luther Tolson Donaldson, a minor twelve years of age, and permanently and painfully injured him, at or near a point, to-wit, one half mile west of Price's Store, on the Glenwood Road, between Morris and Crosston, Jefferson County, Alabama.

By Messrs. Dumas, Gibson, Beatty, Meeks, and Adams (Jefferson):

H. 518. To further define and extend the powers, authority and duties of the Deputy Circuit Solicitor of the Tenth Judicial Circuit of the State of Alabama who is elected by the people; to provide and impose additional duties for such Deputy Circuit Solicitor, and to provide for additional compensation for such Deputy Circuit Solicitor, and to make provision for the payment of such additional compensation; provided, however, that, if an increase is made in the present session of the Legislature in the annual salary which is paid by the State of Alabama to said Deputy Circuit Solicitor, then the additional annual compensation herein specified to be paid by the county shall be reduced by the amount of such increase; and to provide the effective date of this act, and to repeal all laws, general, local, and special, in conflict with this act.

By Messrs. Dumas, Beatty, Gibson, Meeks, Sadler, Kaul, and Adams (Jefferson):

H. 519. To amend Section 135 of Title 17 of the 1940 Code of Alabama by adding to said section as now composed, a provision reading as follows: In counties having a population of 400,000 or more according to the last or any subsequent federal census, the appointing board may employ, for such length of time and at such compensation as may be fixed by the governing body of the county to be payable out of the treasury of the county, a person to assist the appointing board in assembling the names of good citizens for appointment as inspectors and clerks.

By Mr. Bennett:

H. 500. To Provide for a Deputy Clerk of the Circuit Court of Calhoun County, to fix his powers, duties and compensation.

By Mr. Bennett:

H. 498. To Place the Sheriff of Calhoun County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Calhoun County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Calhoun County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer.

By Mr. Bennett:

H. 499. To Create a Purchasing Agent for Calhoun County, Alabama, to be composed of the Chairman of the Calhoun County Commission of said County, whose duty shall be to purchase books, stationery, blanks, machinery, supplies, materials, appliances and

equipment for the several county offices, jails, court houses and other public buildings of said county under the supervision and control of the Calhoun County Commission; also the public roads and bridges of said County, and to define the powers and duties of said Purchasing Agent, and to fix his salary.

By Mr. Howle:

S. 195. To provide for clerical assistants, and other expenses, of the Judge of Probate, Tax Collector, and Tax Assessor of Calhoun County, and to provide for the payment of the salaries of clerks, deputies, and clerical assistants in said offices out of the County Treasury of Calhoun County.

By Mr. Patton:

S. 211. To change the method of compensating the Sheriff of Limestone County; placing such officer on a salary; and providing for the operation of his office on a salary basis.

By Mr. Patton:

S. 210. To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis.

By Mr. Haynes (Lowndes):

H. 524. To allow the Sheriff of Lowndes County, Alabama, a deputy sheriff in addition to the one now provided by law; to fix the salary of said deputy, and, to make the same payable out of the General Funds of Lowndes County, Alabama, in monthly installments.

By Mr. Cater:

S. 206. To fix the Salary of the Deputy Clerk of the Court of Common Pleas of Montgomery.

By Mr. Clayton:

S. 203. To authorize the Board of Revenue of Barbour County to appropriate funds for the purchase of soil conservation machinery and equipment for use by residents of the county in conserving soil resources and controlling and preventing soil erosion.

By Messrs. Meeks, Beatty Sadler, Dumas, Gibson, Adams (Jefferson) and Kaul:

H. 512. To amend Local Act No. 334 of the 1945 regular session of the Legislature of Alabama (Local Acts 1945, page 144, et sequitur), and to give retrospective operation to one or more amendments.

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Cox:

H. 535. To authorize Courts of County Commissioners, Boards of Revenue, or other like governing bodies of all Counties to purchase war surplus materials, goods, wares, merchandise, machinery, tools or supplies that may be needful, useful or necessary in the construction, erection or maintenance of public roads and bridges, from the War Assets Administration, or from any other governmental agency of the United States or any person, firm, or corporation selling or disposing of said war surplus material without advertising or receiving competitive bids.

Local Government.

By Mr. Coburn:

H. 536. To permit any person to possess in his home in a dry county, and to transport thereto, two quarts of state store liquor, a case of beer and one gallon of wine; to define home, liquor, wine, and a case of beer and other words and phrases as used herein; to make the right herein a defense in the prosecution for possessing illegal liquors or beverages in a dry county; and to repeal all laws in conflict herewith.

Health.

By Messrs. Coburn, Martin:

H. 537. To amend Sections 145, 344, and 366 of Title 17 of the 1940 Code, all of which relate to the conduct of elections.

Constitution and Elections.

By Messrs. Martin, Coburn:

H. 538. To amend Section 2 of Act No. 427, approved July 9, 1945, entitled, "An Act To provide that the driver of any vehicle involved in an accident resulting in injury or death to any person or damage to property shall immediately stop such vehicle at the scene of such accident; To define the duties of such driver; To fix the punishment for anyone violating this Act or any provision thereof and for the revocation of his driver's license; To repeal all laws and parts of laws in conflict herewith; And to provide for the effective date of this Act."

Judiciary.

By Messrs. Coburn, Martin:

H. 539. To amend Section 7 of Act No. 558, approved July 9, 1943, entitled, "An Act to provide that any person who leaves the scene of a motor vehicle accident resulting in injury or death to any person shall stop and render such aid to such injured person

as may be necessary; to provide for the reporting of accidents by drivers of any motor vehicle upon the highways of this state, and to provide that the failure to stop after an accident or to report such accident shall be a misdemeanor, and to fix the punishment thereof."

Judiciary.

By Messrs. Martin, Coburn:

H. 540. To amend Section 94 of Title 17 of the 1940 Code, which relates to the installation of voting machines by political subdivisions of the State.

Constitution and Elections.

By Messrs. Martin, Coburn:

H. 541. To supplement Chapter 1 of Title 36 of the 1940 Code by providing for compulsory inspection of motor vehicles to determine mechanical fitness for safe operation upon a highway, and to make it a misdemeanor to violate the provisions of this Act.

Transportation.

By Messrs. Coburn, Martin:

H. 542. To prescribe and define the obligations of the father of a child born out of wedlock, to establish procedures for the enforcement of such obligations, to prescribe penalties for violations of this Act, and to repeal all conflicting laws.

Judiciary.

By Messrs. Martin, Coburn:

H. 543. Supplemental to Title 36 of the 1940 Code, which relates to motor vehicles; prohibiting the sale and registration, on or after January 1, 1948, of new motor vehicles which are not equipped with safety glass as required by the Act, and making a violation of the Act a misdemeanor.

Transportation.

By Messrs. Martin, Coburn:

H. 544. To amend Sections 89, 90, 91, 92, and 98 of Title 34 of the 1940 Code, which relate to desertion and nonsupport.

Judiciary.

By Messrs. Martin, Coburn:

H. 545. To amend Section 66 of Title 36 of the 1940 Code, which relates to the issuance of drivers' licenses, by increasing the minimum age from fifteen to sixteen years.

Transportation.

By Messrs. Coburn, Martin:

H. 546. To prohibit the use of certain Federal and related names and certain misleading trade practices, and to prescribe penalties for the violation thereof.

Judiciary.

By Messrs. Martin, Coburn:

H. 547. To proscribe causes of action at law or in equity arising from the flight of aircraft over lands and waters of this State unless other than nominal damage results therefrom, or unless irreparable damage will probably result therefrom.

Transportation.

By Messrs. Coburn, Martin:

H. 548. To prescribe procedures for State of Alabama administrative agencies to follow in the exercise of rule—, order—, and decision-making authority, and to provide for judicial review of their actions.

State Administration.

By Messrs. Martin, Coburn:

H. 549. To provide a procedure for the sale of personal property by State agencies, requiring that sales made by each department, board, bureau, commission, office, officer, council, corporation, institution, or other agency of the State shall be conducted by the Division of Purchases and Stores of the State Department of Finance.

State Administration.

By Messrs. Martin, Coburn:

H. 550. To supplement Article 5 of Chapter 4, Title 55, 1940 Code, which relates to the Division of Service of the State Department of Finance, prescribing a procedure for maintaining control over State personal property and fixing a penalty for neglect of any duty imposed by the Act.

State Administration.

By Messrs. Coburn, Martin:

H. 551. To provide for biennial post audits of certain State agencies for the benefit of the Legislature and to make an appropriation therefor.

Ways and Means.

By Messrs. Coburn, Martin:

H. 552. To provide that, in any criminal prosecution for driving while intoxicated, the amount of alcohol in the defendant's blood as shown by chemical analysis shall give rise to certain presumptions.

Judiciary.

By Messrs. Martin, Coburn:

H. 553. To amend Sections 5 and 40 of Title 36 of the 1940 Code, which relate to "rules of the road".

Transportation.

By Mr. Adams (Jefferson):

H. 554. To make it unlawful to conspire to violate any of the Game, Fish or Seafood laws or regulations of this state. To fix a punishment for conspiring to violate any of the Game, Fish or Seafood laws or regulations. To provide for disposition of the fines. To repeal all laws in conflict herewith. To provide when this Act shall become effective and for other purposes.

Conservation.

By Mr. Adams (Jefferson):

H. 555. To prohibit the use of certain types of nets and seines in the public running waters of Alabama. To except from the operation of this Act certain fishing devices. To provide a penalty for the violation of the provision of this Act. To repeal all laws or parts of laws in conflict with this Act. To provide when this Act shall become effective, and for other purposes.

Conservation.

By Mr. Hankins:

H. 556. To amend Section 14 of Act No. 211, Regular Session, 1945, relating to public hospitals and related facilities, approved July 7, 1945.

Health.

By Messrs. Barnett, Rogers (with notice and proof):

H. 557. To amend Section 1 of an act approved May 20, 1943, entitled "An Act to allow the Sheriff of Lauderdale County, Alabama, an additional Deputy Sheriff to that provided by law; to fix the salary of said Deputy and to make the same payable out of the general funds of Lauderdale County, Alabama, in monthly installments."

Local Legislation.

Notice and Proof H. 557:

NOTICE

Notice is hereby given that application will be made to the 1947 Session of the Legislature of Alabama, for the passage of the following act:

AN ACT

To amend Section 1 of an act approved May 20, 1943, entitled "An Act to allow the Sheriff of Lauderdale County, Alabama, an additional Deputy Sheriff to that provided by law; to fix the salary of said Deputy and to make the same payable out of the general funds of Lauderdale County, Alabama, in monthly installments."

Be it enacted by the Legislature of Alabama: That Section 1 of the act approved May 20, 1943, entitled "An Act to allow the Sheriff of Lauderdale County, Alabama, an additional Deputy Sheriff to that provided by law; to fix the salary of said deputy and to make the same payable out of the

general funds of Lauderdale County, Alabama, in monthly installments" be amended so as to read as follows:

Section 1—That the Sheriff of Lauderdale County, Alabama, is hereby allowed an additional Deputy to the Deputies now provided by law, which said Deputy shall receive a salary of such amount as may be fixed by the Court of County Commissioners, not to exceed \$2100.00 per annum, to be paid in 12 monthly installments out of the general funds of Lauderdale County, Alabama; that said Deputy Sheriff shall be eligible to perform the duties of Deputy Sheriff anywhere in Lauderdale County, Alabama.

Section 2—That all provisions of said act approved May 20, 1943, not in conflict herewith are hereby retained.

Section 3—That all laws and parts of laws in conflict with this act are hereby expressly repealed and this act shall be in full force and effect from the date of its approval by the Governor.

June 9-16-23-30c

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA LAUDERDALE COUNTY

I, L. H. Baker, General Manager of The Florence Times, a newspaper published in Florence, Lauderdale County Alabama, and with a general circulation in Lauderdale County Alabama, and having been mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached notice, hereby make affidavit that the advertising of: "An Act to allow the Sheriff of Lauderdale County, Alabama, an additional Deputy Sheriff" was published in The Florence Times on the days and dates and in the amount of space as here given, as follows: June 9-16-23-30, 1947.

Florence, Ala., June 30, 1947.

L. H. BAKER,
General Manager of The Florence Times.

Sworn to before me this 30 day of June 1947.

(SEAL) M. JEROME CARTER,
Notary Public.

By Messrs. Barnett, Rogers (with notice and proof):

H. 558. To authorize the Court of County Commissioners of Lauderdale County, Alabama, to expend moneys from the general fund of the County for the purpose of holding referendum elections.

Local Legislation.

Notice and Proof H. 558:

NOTICE

Notice is hereby given that the following bill will be submitted to the present legislature of Alabama, to-wit: May 1947 Regular Session, for enactment into law, in substance, as follows, to-wit:

A BILL TO BE ENTITLED AN ACT

Entitled an act to authorize the Court of County Commissioners of Lauderdale County, Alabama, to expend moneys from the general fund of the County for the purpose of holding referendum elections.

Be it enacted by the Legislature of Alabama that:

Section 1. The Court of County Commissioners of Lauderdale County, Alabama, is hereby authorized and empowered to expend moneys from the general fund of said County for the purpose of holding referendum elections, including the cost of publishing notices of such elections, printing ballots, compensating election holders, election clerks, and returning officers.

Section 2. This Act shall take effect immediately upon its approval by the Governor.

COURT OF COUNTY COMMISSIONERS,

May 28; June 4-11-18c

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA LAUDERDALE COUNTY

I, L. H. Baker, General Manager of The Florence Times, a newspaper published in Florence, Lauderdale County Alabama, and with a general circulation in Lauderdale County Alabama, and having been mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached notice, hereby make affidavit that the advertising of: COURT OF COUNTY COMMISSIONERS A Bill To Be Entitled An Act To Authorize The Court of County Commissioners of Lauderdale County, Ala., to expend moneys was published in The Florence Times on the days and dates and in the amount of space as here given, as follows: May 28; June 4-11-18. 1947.
Florence, Ala., June 23, 1947.

L. H. BAKER,

General Manager of The Florence Times.

Sworn to before me this 23 day of June 1947.

M. JEROME CARTER,

Notary Public.

(SEAL)

By Messrs. Stone, Sullivan, Johnston:

H. 559. To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 140,000 and less than 400,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and costs of court for the performance of the duties authorized by this act.

Local Legislation.

By Mr. Stone:

H. 560. To provide for the manner in which personal property shall be purchased by the State of Alabama.

Judiciary.

By Mr. Merrill:

H. 561. To Amend Section 284 of Title 13 of the 1940 Code, Which Relates to Decrees of Probate Courts.

Judiciary.

By Mr. Merrill:

H. 562. To provide for the appointment by a Probate Court of a Conservator for the estate or property of a person who is a legal resident of this state and while serving in or with the armed forces of the United States or as a merchant seaman has been reported or listed as missing, missing in action, interned in a neutral country, beleaguered, beseiged, or captured by an enemy and has an interest in any form of property in this state and has not provided an adequate power of attorney authorizing another to act for him in regard to such property or interest; to provide or name the county in which such appointment will be made and the showing to be made for such appointment and by whom; to provide that such appointment may be made upon such court's own motion after notice to or receipt of proper waivers from the heirs or next of kin of such person; and to provide for the bond and duties of such conservator and the termination of such conservatorship.

Judiciary.

By Mr. Merrill:

H. 563. To provide for the receiving as prima facie evidence in any court, office or other place in this State, official findings, records, reports, or certified copies thereof, of death, presumed death, missing or other status, issued by the Secretaries of War and Navy and other Federal officers and employees; and to provide that for the purposes of this act any finding, record or report or duly certified copy thereof, purporting to have been signed by such officer or employee of the United States shall prima facie be deemed to have been signed and issued by such an officer or employee pursuant to law, and the person signing same shall prima facie be deemed to have acted with the scope of his or her authority, and if a copy purports to have been certified by a person authorized by law to certify the same, such certified copy shall be prima facie evidence of his authority to so certify.

Judiciary.

By Mr. Inzer (with notice and proof):

H. 564. To repeal Act 259, approved June 28, 1945, entitled "An Act To Authorize and empower the Court of County Commissioners of St. Clair County, Alabama, to expend County Funds

not exceeding \$5,000.00 per annum for purposes not otherwise provided for by law."

Local Legislation.

Notice and Proof H. 564:

LEGAL NOTICE

As required by Article 4, Section 106 of the Constitution, notice is hereby given of the intention to apply at the present regular session of the Legislature of Alabama, for the enactment of the following local law, the provisions of which shall be operative in St. Clair County only.

A BILL
TO BE ENTITLED
AN ACT

To repeal Act 259, approved June 28, 1945, entitled "An Act to authorize and empower the Court of County Commissioners of St. Clair County, Alabama, to expend County Funds not exceeding \$5,000.00 per annum for purposes not otherwise provided for by law."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1. Act 259, approved June 28, 1945, entitled "An Act to authorize and empower the Court of County Commissioners of St. Clair County, Alabama, to expend County Funds not exceeding \$5,000.00 per annum for purposes not otherwise provided for by law," is repealed.

2. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming law.
pcn. May 29, June 5-12-19, 1947

AFFIDAVIT OF PUBLISHER

PELL CITY NEWS COMPANY

PUBLISHERS OF
THE PELL CITY NEWS and THE SOUTHERN AEGIS

STATE OF ALABAMA
ST. CLAIR COUNTY.

On this 20 day of June 1947, personally appeared before me Louise G. Hullett, Notary Public, in and for the County and State aforesaid, E. R. Blair, who being duly sworn according to Law, declares that he is Publisher of "The Pell City News," a newspaper published in the City of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Pell City News" on the following dates: May 29, 1947 June 5-12-19, 1947. That a copy of said paper was furnished the _____ of the _____ Court.

Signed E. R. BLAIR

Subscribed and sworn to before me, this 20 day of June, A.D., 1947.

LOUISE G. HULLETT,
Notary Public.

By Messrs. Pruitt, Pinson:

H. 565. To provide for a District Board of Trustees for the State Teachers College located at Livingston, Alabama, to define its duties, and to limit the expenditures for such Board.

Education.

By Mr. Harris:

H. 566. To amend Section 1 of Act 183, approved June 18, 1943, entitled "An Act To Create a State Planning Board and to provide for the appointment, removal, term, and compensation of the members thereof; to fix the powers, authority, and duties of the board; to provide for the appointment of a director of the board and for the selection of employees; and to make an appropriation for the maintenance and operation of the board", by making the State Auditor, Secretary of State, and State Treasurer members of the State Planning Board and providing for their compensation.

Ways and Means.

By Mr. Harris:

H. 567. To permit the joining of two or more parties as defendants in all actions ex contractu where doubt exists as to the person from whom the plaintiff is entitled to redress.

Judiciary.

By Mr. Buckner (with notice and proof):

H. 568. To promote and improve in Cullman County, Alabama, the enforcement of the criminal laws of the State of Alabama, by requiring the County Solicitor of Cullman County to represent the State of Alabama in all misdemeanor cases before any Magistrate of Cullman County, having county wide criminal jurisdiction, to fix his compensation for the performance of such additional duties and provide the mode of making claim, fixing the status of such claim and the manner of payment of such compensation.

Local Legislation.

Notice and Proof H. 568:

NOTICE

I hereby give notice that I intend to introduce the following bill at the Present regular session of the Alabama Legislature.

A BILL TO BE ENTITLED AN ACT

To promote and improve in Cullman County, Alabama, the enforcement of the criminal laws of the State of Alabama, by requiring the County Solicitor of Cullman County to represent the State of Alabama in all misdemeanor

cases before any Magistrate of Cullman County, having county-wide criminal jurisdiction, to fix his compensation for the performance of such additional duties and provide the mode of making claim, fixing the status of such claim and the manner of payment of such compensation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That as an additional duty to all the duties now required by law of the County Solicitor of Cullman County, it shall be the duty of such Solicitor, from the date of the passage and approval of this Act, to represent the State of Alabama in all misdemeanor cases before all Magistrates of Cullman County, Alabama, having county-wide criminal jurisdiction.

Section 2. For the performance of such additional duties herein required and placed upon said County Solicitor, the County Solicitor of Cullman County, Alabama, shall receive six hundred dollars per year, to be paid out of the general fund of said county, in twelve equal installments, in the same manner as the salary of said County Solicitor of Cullman County, Alabama, is now paid. Proof of such compensation herein provided for shall be made against the County of Cullman as other claims are made, allowed and paid, except that same shall be a preferred claim against the general revenues of the county.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

E. L. BUCKNER.

June 5, 12, 19, 26.

THE STATE OF ALABAMA
CULLMAN COUNTY

Before me Orlean Keller a Notary Public in and for said County and State, personally appeared W. A. Ridgeway Business Manager of THE CULLMAN BANNER, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for 4 weeks successively and being in the issues of said newspaper of the following dates; viz: June 5, 12, 19, 26.

WM. A. RIDGEWAY,
Business Manager.

Sworn to and subscribed before me this 28th day of June, 1947.

(SEAL) ORLEAN KELLER,
Notary Public.

By Messrs. Callahan, Shelton:

H. 569. To submit to the qualified electors of the State of Alabama at an election to be held on the First Tuesday after the expiration of three months after the final adjournment of the Regular Session of the 1947 Legislature for their consideration an amendment to the Constitution of Alabama for the purpose of levying and collecting in the City of Tuscaloosa and in the several school districts of Tuscaloosa County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes and providing for the issuance of bonds arising from the funds of said special school tax for the construction and improvement of public school buildings and acquiring sites therefor.

The above and foregoing bill, H. 569, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Messrs. Benford, Mason:

H. 570. To require every person operating a hotel, or inn, three or more stories high to maintain a fire watch, providing a penalty for violations.

Judiciary.

By Mr. Pruitt (with notice and proof):

H. 571. Relating to Sumter County; creating a Board of Commissioners of Sumter County in lieu of the Board of Revenue, which is hereby abolished; prescribing the election, terms of office, qualifications, and powers of the members of the Board of Commissioners; defining and regulating the jurisdiction, powers, and duties of the Board of Commissioners in general and in respect to the construction and maintenance of roads and bridges; and the acquisition of personal property.

Local Legislation.

Notice and Proof H. 571:

Notice is hereby given that the following Local Law will be presented to the present general session of the Legislature of Alabama and that application for its passage will be made.

A BILL TO BE ENTITLED AN ACT

Relating to Sumter County: creating a Board of Commissioners of Sumter County in lieu of the Board of Revenue, which is hereby abolished; prescribing the election, terms of office, qualifications, and powers of the members of the Board of Commissioners; defining and regulating the jurisdiction, powers, and duties of the Board of Commissioners in general and in respect to the construction and maintenance of roads and bridges; and the acquisition of personal property.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Board of Commissioners Created. The Board of Revenue for Sumter County, Alabama, established by Local Acts, 1919, p. 51 is abolished and a Board of Commissioners is created and established in lieu thereof.

Section 2. Membership. The Board of Commissioners of Sumter County shall be composed of three members, a chairman and two commissioners who shall be qualified electors of Sumter County.

Section 3. Election and Term of Office. One of the commissioners shall be designated Commissioner, Place No. 1 and at the time of his election he shall be a resident of the area of Sumter County south of the Sucarnoochee River. The other Commissioner shall be designated Commissioner, Place No. 2 and at the time of his election he shall be a resident of the area of Sumter County north of the Sucarnoochee River. The chairman of the Board may reside anywhere in Sumter County. The commissioners and the

chairman shall be elected by the qualified electors of the entire county in the same manner as is prescribed by the general laws of Alabama for the election of members of our county governing bodies. Members of the Board of Commissioners shall hold office for terms of four (4) years and until their successors are elected and qualified.

Section 4. Vacancies. Any vacancy occurring in the membership of the board shall be filled by an appointment made by the Governor from a list of nominees prepared in the following manner: (a) In the case of a vacancy in Place No. 1, the Governor shall make an appointment from a list of three (3) nominees comprised of two (2) nominations made by the Town Council of York, and one (1) nomination made by the Town Council of Cuba. (b) In the case of a vacancy in Place No. 2, the Governor shall make an appointment from a list of five (5) nominees comprised of two (2) nominations made by the Town Council of Livingston, and one (1) each made by the Town Councils of Gainesville, Epes, and Geiger. (c) In the case of a vacancy in the chairmanship, the Governor shall make an appointment from a list of eight (8) nominees comprised of two (2) nominations made by the Town Council of Livingston, two (2) made by the Town Council of York and one (1) nomination each made by the Town Councils of Cuba, Gainesville, Epes, and Geiger.

Section 5. Meetings. Regular meetings of the Board of Commissioners shall be held on the first Monday in each month, or on the following Tuesday if the first Monday falls on a holiday. Special meetings may be called by any two members. All members shall be given notice in writing at least two (2) days prior to any special meeting. No more than twenty-four (24) regular and special meetings shall be held in any calendar year. Minutes and records of all official acts of the board shall be kept and shall be open for public inspection at any reasonable time.

Section 6. Compensation. Members of the Board of Commissioners shall receive no compensation for their services, except that they shall be paid ten dollars (\$10) a day for attendance at a meeting of the board. When any member of the board is authorized by the board to travel outside of Sumter County on county business, his expenses shall be paid in accordance with the same rules as are applied by the State of Alabama to official travel by its employees.

Section 7. Powers, duties, and authority of the Board of Commissioners. All powers, duties, and authority now vested in the Sumter County Board of Revenue are transferred to the Board of Commissioners of Sumter County. Except as otherwise provided in this Act, the members of the Board of Commissioners shall have and exercise collectively the authority, jurisdiction, power, and duties now or hereafter granted and conferred upon members of county governing bodies by the laws of the State. Members of the Board of Commissioners shall be subject individually and collectively to all the disabilities, limitations, restrictions, and penalties now imposed by law upon members of a county governing body.

Section 8. County Engineer. In addition to its other duties and authorities, the Board of Commissioners shall appoint a county engineer in accordance with Chapter 5 of Title 12 of the Code of Alabama of 1940. The powers and duties of such county engineer shall be as set out in said chapter, except that he shall be paid a salary of not less than three thousand dollars (\$3,000.00) nor more than five thousand dollars (\$5,000.00) per year, and shall serve at the will and during the pleasure of the Board.

Section 9. Purchasing. The county engineer shall also serve as purchasing agent for Sumter County, and under the supervision of the Board of Commissioners; a) The county purchasing agent shall have authority: 1) to establish standard specifications for supplies, equipment, and materials needed or used by the county, its officers, departments, and agencies (which term when used in this Section includes the county board and superintendent of education); 2) to operate a central storeroom; 3) to require county officers, departments, and other agencies to prepare estimates of requirements; 4) to transfer among county officers, departments, and agencies surplus supplies,

equipment, and materials, or to sell the same; 5) to negotiate for the purchase and acquisition of all supplies, equipment, materials, or contractual services required or used by the county or any of its officers, departments, and agencies; 6) to promulgate reasonable rules and regulations governing the acquisition of supplies, materials, and equipment, or the disposal of surplus or obsolete personal property of the county.

(b) The county purchasing agent shall obtain at least three written, sealed competitive bids for all purchases of supplies, material, equipment, and contractual services when the amount involved is ten dollars (\$10) or more. It shall be a violation of this Section to divide or adjust otherwise the quantity of a purchase to an amount less than ten dollars (\$10) for the purpose of evading this Section. Invitations for bids shall be posted on a bulletin board in the county courthouse and sent to prospective suppliers at least five calendar days before the final date for submitting bids. Bids shall be opened publicly by the county purchasing agent at a time and place stated in the invitations. The county purchasing agent shall award the purchase to the lowest responsible bidder, or he may reject all bids and renegotiate the purchase when the public interest will be served thereby. Provided, however, that in making such purchases, the purchasing agent shall obtain information from the Division of Purchases and Stores of the State Department of Finance concerning the price to the State of the items to be purchased, and if the State price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the State Purchasing Agent.

(c) In an emergency and after approval of the purchase by the Chairman of the Board of Commissioners, the purchasing agent may negotiate a purchase costing in excess of ten dollars (\$10) by soliciting three bids verbally, or by telephone, telegraph, or letter.

(d) The provisions regarding three competitive bids may be waived by the Board of Commissioners for the purchase of specialized services or spare parts for specific makes of machinery which are not generally rendered or handled by merchants or supply houses.

(e) Any official or person who purchases or procures the purchase of, any supplies, materials, equipment, or services for the county contrary to the provisions of this Section shall be personally liable for the amount of such purchase.

Section 10. Reports. The county engineer in his capacity as engineer and purchasing agent shall make and file with the Board of Commissioners at least once each year a complete inventory of all supplies and materials owned by the county, with the original cost and estimated current value thereof. He shall also make and file with the Board of Commissioners a report at least once each year as to the road construction and maintenance activities of the county, with an accurate accounting of the costs thereof, and a report as to purchases made for each office or department of the county.

Section 11. Bond. The county engineer shall give bond of such character and such sum as the Board of Commissioners shall from time to time prescribe, payable to Sumter County. The Board of Commissioners may authorize the payment of the premium for such bond out of county funds.

Section 12. Clerical assistance. The Board of Commissioners may authorize the employment of such clerical or stenographic help as may be needed by it or the county engineer.

Section 13. Effective date. Within five (5) days after the passage of this Act, the Probate Judge of Sumter County shall call by proclamation a special election for the purpose of electing the first members to the Board of Commissioners. The proclamation shall state the time of holding the election and shall be published once a week for four (4) consecutive weeks in a newspaper of general circulation in the county. The election shall be held not less than forty (40) nor more than sixty days from the date on which the proclamation is first published. The election herein specified shall be called, held, conducted, the vote canvassed, and the result declared in the same manner as provided by law in respect to elections at which county

officials are elected, except as otherwise specified herein. The first members of the Board of Commissioners shall assume office on the first Monday after the second Tuesday in January 1948 for terms of three (3) years. Their successors shall be elected at the general election in 1950 and every four (4) years thereafter for four (4) year terms commencing on the first Monday after the second Tuesday in January, 1951, and every four (4) years thereafter.

Section 14. Severability. The provisions of this Act are severable. If any part of this Act is declared to be unconstitutional or invalid, such declaration shall not affect the remainder.

**STATE OF ALABAMA.
COUNTY OF SUMTER.**

Before me, Ruth C. Parham, a Notary Public in and for said County in said State, personally appeared the undersigned, Clarence S. Hunter, who, being by me first duly sworn, doth depose and say as follows, to-wit:

That he is the official printer of the "Our Southern Home", a weekly newspaper published in Livingston, Sumter County, Alabama, that he has been the printer of said paper for eight years. Affiant states that the attached publication of a local bill to be introduced in the Legislature of the State of Alabama with reference to the Board of Revenue of Sumter County, Alabama, appeared in said paper for four consecutive issues. Affiant further states that said local bill was duly published in full in the issues of said paper which were published June 5, 12, 19 and 26, 1947. A full, complete, true and correct copy of said bill as it appeared in said issues of said newspaper which was published in Sumter County, Alabama, is attached hereto and made a part hereof.

CLARENCE S. HUNTER,
Printer, Our Southern Home.

Sworn to and subscribed before me this 30th day of June, 1947.

RUTH C. PARHAM,
(SEAL) Notary Public, Sumter County, Alabama

By Messrs. Tucker, Gillis (with notice and proof):

H. 572. To create and establish an inferior court in Clarke County, Alabama to be known as the Inferior Court of Clarke County; to define its jurisdiction; to fix its terms; to provide for its officers; to define their powers, duties and authority; to fix their compensation; and to provide for the rules of procedure and the operation of said court.

Local Legislation.

Notice and Proof H. 572:

Notice is hereby given of intention to apply for the passage of a local law for Clarke County, Alabama, at the 1947 Regular Session of the Legislature of Alabama, which convened on the first Tuesday in May, which local law reads as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To create and establish an inferior court in Clarke County, Alabama to be known as the Inferior Court of Clarke County; to define its jurisdiction; to fix its terms; to provide for its officers; to define their powers, duties and authority; to fix their compensation; and to provide for the rules of procedure and the operation of said court.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That there is hereby created and established an inferior court in Clarke County, Alabama, to be known as the Inferior Court of Clarke County, which said court shall have and exercise the jurisdiction hereinafter provided.

Section 2. That the Inferior Court of Clarke County shall have original jurisdiction, concurrent with the circuit court of Clarke County, of all misdemeanors committed in Clarke County; preliminary jurisdiction of all felonies, concurrent with the several justice of the peace courts in said county, committed in Clarke County; and all other jurisdiction which is now or which may hereafter be conferred by general law upon the county courts of this State.

Section 3. That a term of the Inferior Court of Clarke County, for the trial of misdemeanors, shall be held on the first Monday of every week, or on such other day of every week as the judge of said court may designate, at the court house of the county, and may continue until the business of the court is disposed of. Said court shall be open, at the discretion of the judge thereof, any day during the week, except Sunday, for the trial of offenses coming within its jurisdiction, in all cases where the party or parties charged cannot give bond and security for their appearance at the regular terms of said court or desire an immediate trial; and, in such cases, causes may be continued for good cause shown under the regulations governing the continuance of causes in county courts; but nothing herein contained shall be so construed as to prevent or interfere with the regular terms of said court.

Section 4. That the judge of probate of Clarke County, shall be ex-officio judge of the Inferior Court of Clarke County, and the clerk of the circuit court of Clarke County shall be ex-officio clerk of the Inferior Court of Clarke County. The judge and the clerk of the Inferior Court of Clarke County shall have all of the duties, powers and authority which are now or which may hereafter be conferred by general law upon the judges and clerks of the county courts of the State. The sheriff of Clarke County shall, in person or by deputy, attend upon the Inferior Court of Clarke County, preserve order, execute all writs of process issued therefrom, and perform such other duties as he is required by law to perform in the circuit court of Clarke County.

Section 5. That the judge of the Inferior Court of Clarke County shall receive an annual salary of \$2,400.00, payable in equal monthly installments out of the county treasury on his warrant; and such salary shall be the only compensation allowed to the judge of said court for services rendered in and about such court.

Section 6. That the clerk of the Inferior Court of Clarke County shall receive as compensation for his services in said court, the same costs, fees, and compensation as are now allowed by law to clerks of county courts in criminal cases, which costs, fees, and compensation shall be paid in like manner; and, in addition thereto, he shall receive a annual salary of \$300.00, payable in equal monthly installments out of the county treasury on the warrant of the judge of said court.

Section 7. That the sheriff of Clarke County shall receive the sum of \$2.00 per day for attendance upon the Inferior Court of Clarke County, payable out of the county treasury on the warrant of the judge of said court, and for other services rendered by him, other than attendance upon said court, he shall receive the same costs, fees, and compensation as are allowed by law for similar services performed by sheriffs in the county courts of this State, which costs, fees and compensation shall be paid in like manner.

Section 8. That the Inferior Court of Clarke County shall be governed by the same rules of procedure as govern the county courts of this State; and all laws pertaining to the operation of the county courts of this State, not in conflict with the provisions of this Act, shall pertain to the operation of the Inferior Court of Clarke County.

Section 9. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby expressly repealed.

Section 10. That this Act shall become effective on the first day of the month following the month in which it is passed and approved by the Governor or otherwise becomes a law.

STATE OF ALABAMA,
CLARKE COUNTY.

Before me, Ernestine H. Drinkars, a Notary Public in and for said County and State, personally appeared Earl L. Tucker, who being duly sworn, deposes and says that he is the publisher of the Thomasville Times, a legal newspaper published at Thomasville, Alabama, in Clarke County, and that the notice, a true copy of which is attached hereto, was published once a week, for four consecutive weeks, viz., June 4th, June 11, June 18 and June 25th.

EARL L. TUCKER,
Publisher The Thomasville Times.

Sworn to and subscribed before me, this the 30th day of June, 1947.
ERNESTINE H. DRINKARD.

By Messrs. Tucker, Gillis (with notice and proof):

H. 573. To abolish the county court in Clarke County, Alabama; to provide for the transfer of all causes pending in said court to the inferior court of Clarke County; and to provide for the disposition of all unsatisfied judgments, executions, and forfeitures in said court.

Local Legislation.

Notice and Proof H. 573:

Notice is hereby given of intention to apply for the passage of a local law for Clarke County, Alabama, at the 1947 Regular Session of the Legislature of Alabama, which convened on the first Tuesday in May, which local law reads as follows:

A BILL
TO BE ENTITLED
AN ACT

To abolish the county court in Clarke County, Alabama; to provide for the transfer of all causes pending in said court to the inferior court of Clarke County; and to provide for the disposition of all unsatisfied judgments, executions, and forfeitures in said court.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the county court in Clarke County, Alabama, be and the same is hereby abolished.

Section 2. That all causes now pending and undisposed of in said court, together with all papers and documents relating to said causes, including affidavits and warrants of arrest, shall be immediately transferred to the inferior court of Clarke County for its consideration and action.

Section 3. That all unsatisfied judgments, executions, and forfeitures in said court shall be enforced and returns thereof made to the inferior court of Clarke County in the same manner and with the same force and effect

as if said judgments, executions, or forfeitures had been originally entered by or issued from the inferior court of Clarke County.

Section 4. That immediately after the effective date of this Act the judge of said court shall certify to the inferior court of Clarke County, all causes pending and undisposed of in said court and all unsatisfied judgments, executions, and forfeitures in said court, together with all papers and documents relating thereto, including affidavits and warrants of arrest.

Section 5. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby expressly repealed.

Section 6. That this Act shall become effective on the last day of the month in which it is passed and approved by the Governor or otherwise becomes a law.

STATE OF ALABAMA.
CLARKE COUNTY.

Before me, Ernestine H. Drinkard, a Notary Public in and for said County and State, personally appeared Earl L. Tucker, who being duly sworn, deposes and says that he is the publisher of the Thomasville Times, a legal newspaper published at Thomasville, Alabama, in Clarke County, Alabama, and that the notice, a true copy of which is attached hereto, was published once a week for four consecutive weeks, viz., June 4th, June 11, June 18, and June 25th.

EARL L. TUCKER,
Publisher, The Thomasville Times.

Sworn to and subscribed before me, this the 30th day of June, 1947.
ERNESTINE H. DRINKARD.

By Messrs. Barnett, Inzer, McIlwain:

H. 574. To provide that a release may be avoided or varied in cases where there is a mutual mistake of fact by parole evidence.

Judiciary.

By Messrs. Miller, White (Covington):

H. 575. To amend Section 647 of Title 51 of the 1940 Code, which relates to the levying of the excise tax on gasoline and the use, allocation, and distribution of the net proceeds.

Ways and Means.

By Mr. Roberts:

H. 576. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that no city of the State having a population of five thousand or more shall be annexed or dissolved without the consent of a majority of the citizens thereof; to provide for the manner and time of holding such election.

The above and foregoing bill, H. 576, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Harris:

H. 577. To amend Section 69 of Title 45 of the 1940 Code of Alabama as amended by an Act of the Legislature approved June 1, 1945, which relates to costs of conviction to be paid out of the convict fund.

Ways and Means.

By Mr. Harris:

H. 578. To amend Sections 21 and 89 of Title 11 of the 1940 Code of Alabama, which relate to the fees of circuit court clerks.

Judiciary.

By Mr. Harris:

H. 579. To amend Section 27 of Title 11 of the Code of Alabama of 1940.

Judiciary.

By Mr. Lovelace:

H. 580. To appropriate the sum of \$350,000.00 out of any monies in the State Treasury, not otherwise appropriated, to the Department of Corrections and Institutions for the purpose of erecting and constructing an adequate prison and sanitary sewerage system at Atmore, Alabama, and to provide that such erection and construction and the disbursement of funds therefor shall be with the approval of the Alabama Building Commission.

Ways and Means.

BILLS ON THIRD READING

H. 468. To create a Purchasing Agency for Jackson County, Alabama, to be composed of the Chairman of the Board of Revenue of said County, whose duties shall be to purchase for the county offices and every department of the county all personal property including books, stationery, blanks, office equipment and office supplies, printing and printed matter, forms, machinery of all and every kind, including tractors and trucks, all tools and material, gas, oil, tires, lubricants and fuel, and all other material and supplies for the construction and maintenance of the roads, bridges and ferries, and all material and supplies for the Court House, jails and other county buildings of said county; to define the powers and duties, term of office and compensation of said Purchasing Agency; to provide for the employment of clerical assistance necessary to keep records of said Purchasing Agency and Board of Revenue; to provide for the performance of said duties in the event of a vacancy; to provide that if any paragraph, clause or part be held invalid, it shall not affect the validity of any other part of said Act and to repeal all laws in conflict with the provisions of said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker Bennett
Adams (Jefferson) Brassell

Busby
Callahan

Cobb
Coburn

| | | | |
|-------------------|----------|------------|-------------------|
| Dumas | Johnston | Nettles | Taylor (Autauga) |
| Dyar | Kaul | O'Neal | Taylor (Hale) |
| Evans | Knight | Pinkston | Thagard |
| Ganey | Larkins | Pinson | Thomp- |
| Garrett | Leonard | Pruitt | son (Crenshaw) |
| George | Lovelace | Ramey | Thompson (Pike) |
| Gibson | McGowin | Richardson | Tucker |
| Gillis | McIlwain | Roberts | Wallace |
| Givhan | Malone | Rogers | Ward |
| Hankins | Martin | Sadler | Weaver |
| Harris | Mason | Shelton | Whitcomb |
| Haynes (Franklin) | Mathison | Sightler | White (Covington) |
| Haynes (Lowndes) | Miller | Snodgrass | White (Perry) |
| Head | Molette | Stone | Wood (Bibb) |
| Ingalls | Nelson | Sullivan | Wood (Washington) |
| Inzer | | | |

—68

And the bill:

H. 470. To create the office of County Road Engineer of Jackson County, Alabama; to provide for his election or appointment, term of office, discharge, and removal; to fix his qualifications and to prescribe his duties, power and authority; to fix his compensation and manner of payment; to make appropriations or allowances for his expenses and manner of payment; to fix his bond, provide for the approval of the same and for the payment of the premiums thereon; to provide for the holding over of the present County Engineer; to provide for the fixing of scales of wages and salaries; to prohibit the employment of certain persons and to fix penalties for violation of the terms of this Act; to designate the Engineer as the person authorized to make requisition for road supplies and equipment; to provide for setting aside of road funds by Board of Revenue and for expenditure of same; to provide for emergencies; to provide when this Act shall take effect; to provide that the invalidity of any part of this Act shall not affect the remainder of said Act; to repeal all laws or parts of law in conflict with said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|----------|
| Mr. Speaker | Dobbs (Elmore) | Harrison | McGowin |
| Adams (Dale) | Dobbs (Fayette) | Haynes (Franklin) | McIlwain |
| Adams (Jefferson) | Doughty | Haynes (Lowndes) | Malone |
| Barnett | Dumas | Head | Martin |
| Bennett | Dyar | Hornsby | Mathison |
| Brassell | Evans | Ingalls | Miller |
| Broadwater | Faulk | Johnston | Mitchell |
| Buckner | Ganey | Larkins | Nettles |
| Busby | Gibson | Leonard | Norman |
| Bush | Gillis | Lovelace | O'Neal |
| Callahan | Givhan | McClendon | Pinkston |
| Coburn | Hankins | McDanal | Pinson |
| Crocker | Harris | McDonald | Pruitt |

| | | | |
|---------|-----------|------------------|-------------------|
| Ramey | Sightler | Taylor (Autauga) | Tucker |
| Roberts | Snodgrass | Thomp- | Wallace |
| Rogers | Stone | son (Crenshaw) | Wood (Bibb) |
| Sadler | Sullivan | Thompson (Pike) | Wood (Washington) |
| Shelton | | | |

—68

And the bill:

H. 469. To create and establish and to define the duties and powers of a Board of Revenue for Jackson County, Alabama; to abolish the Court of County Commissioners of said County; to repeal an Act approved the 6th day of July, 1945, entitled "An Act to create and establish and to define the duties and powers of a Board of Revenue in and for Jackson County"; to designate the members of said Board to serve until the first Monday after the second Tuesday of January, 1949, and to fix their compensation; for the purpose of future elections to divide said County into four districts; to provide for the nomination and election of members of said Board to serve after the first Monday after the second Tuesday in January, 1949; to provide for the place of residence of the members of said Board; to provide for the filling of vacancies and to provide compensation of the Chairman and members to be elected in 1948; to provide for the oath of office and execution of bond and for the time and place of meeting of said Board; to define a quorum of said Board; to further designate the duties of the Chairman; to provide for the employment of a Clerk, fix his compensation and duties; to repeal all laws in conflict with this Act; to provide that if any part of said Act be unconstitutional it shall not affect any other part; and to provide for the effective date of said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|-----------|-------------------|
| Mr. Speaker | Doughty | Lovellace | Ramey |
| Adams (Jefferson) | Duffee | McClendon | Richardson |
| Barnett | Dumas | McDanal | Roberts |
| Benford | Dyar | McGowin | Rogers |
| Bennett | Evans | McIlwain | Sadler |
| Brassell | Ganey | Malone | Shelton |
| Broadwater | Garrett | Martin | Sightler |
| Buckner | George | Mason | Snodgrass |
| Busby | Gibson | Mathison | Stone |
| Bush | Gillis | Miller | Sullivan |
| Callahan | Givhan | Mitchell | Taylor (Autauga) |
| Cobb | Hankins | Molette | Thomp- |
| Coburn | Haynes (Lowndes) | Nettles | son (Crenshaw) |
| Crocker | Ingalls | Norman | Thompson (Pike) |
| Davis | Johnston | O'Neal | Wallace |
| Denton | Larkins | Pinkston | White (Covington) |
| Dobbs (Elmore) | Leonard | Pinson | Wood (Washington) |
| Dobbs (Fayette) | | | |

—68

And the bill:

S. 191. To amend Section 3 of an act entitled "An Act to fix the compensation or salary to be paid the Judge of Probate of Etowah County, Alabama, and to regulate the payment of the same; to provide for the compensation of clerks, deputies, clerical assistants and other expenses in the Probate Office of Etowah County, Alabama, and to require said Judge of Probate to collect all fees, compensation and allowances heretofore or hereafter collected by said Judge of Probate, and to pay same into the County Treasury of Etowah County; to provide for the payment of the salary or compensation of said Judge of Probate and the clerks, deputies and other clerical assistants, and other office expenses, out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Judge of Probate, and to prescribe when this Act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 73 and 74, as Local Act No. 137.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|----------|-------------------|
| Mr. Speaker | Duffee | McDonald | Sadler |
| Adams (Jefferson) | Dumas | McGowin | Shelton |
| Barnett | Faulk | McIlwain | Shirley |
| Benford | Ganey | Malone | Sightler |
| Bennett | Garrett | Martin | Snodgrass |
| Brassell | George | Mason | Stone |
| Broadwater | Gibson | Mathison | Sullivan |
| Busby | Gillis | Merrill | Taylor (Autauga) |
| Bush | Civhan | Miller | Thomp- |
| Callahan | Hankins | Mitchell | son (Crenshaw) |
| Cobb | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Coburn | Hornsby | Norman | Wallace |
| Crocker | Ingalls | Pinkston | Whitcomb |
| Davis | Johnston | Pinson | White (Covington) |
| Denton | Larkins | Ramey | White (Perry) |
| Dobbs (Elmore) | Leonard | Roberts | Wood (Bibb) |
| Dobbs (Fayette) | Lovelace | Rogers | Wood (Washington) |
| Doughty | | | |

—68

And the bill:

H. 472. To provide for the appointment of a deputy clerk of the Circuit Court of Lawrence County, Alabama and to prescribe the duties and fix the compensation of such deputy.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Dumas | Kaul | Ramey |
| Adams (Dale) | Dyar | Larkins | Richardson |
| Adams (Jefferson) | Evans | Leonard | Roberts |
| Benford | Ganey | Lovelace | Rogers |
| Bennett | Garrett | McDanal | Sadler |
| Brassell | George | McDonald | Shelton |
| Broadwater | Gibson | McIlwain | Sightler |
| Buckner | Gillis | Malone | Snodgrass |
| Busby | Givhan | Martin | Stone |
| Bush | Hankins | Mason | Taylor (Autauga) |
| Callahan | Harris | Mathison | Thomp- |
| Coburn | Haynes (Franklin) | Merrill | son (Crenshaw) |
| Crocker | Haynes (Lowndes) | Miller | Tucker |
| Denton | Hornsby | Molette | Wallace |
| Dobbs (Elmore) | Ingalls | Norman | White (Covington) |
| Dobbs (Fayette) | Inzer | O'Neal | White (Perry) |
| Doughty | Johnston | Pinkston | Wood (Washington) |
| Duffee | | | |

—68

And the bill:

H. 473. To amend Section 3 of Act No. 18, Local Acts of 1898-99, approved December 1, 1898, and to amend Section 5 of said Act, which said Section 5 was amended by an Act approved 6th day of September, 1927, and further amended by an Act approved October 25, 1932; which said Act establishes a Court of County Revenue for Lawrence County, Alabama, and defines its duties and powers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | Lovelace | Rogers |
| Adams (Jefferson) | Ganey | McDanal | Sadler |
| Barnett | Garrett | McDonald | Shelton |
| Beatty | George | McGowin | Sightler |
| Bennett | Gibson | McIlwain | Snodgrass |
| Brassell | Gillis | Malone | Stone |
| Broadwater | Givhan | Martin | Sullivan |
| Busby | Hankins | Mason | Taylor (Autauga) |
| Bush | Harris | Miller | Taylor (Hale) |
| Callahan | Harrison | Molette | Thomp- |
| Coburn | Haynes (Franklin) | Norman | son (Crenshaw) |
| Crocker | Haynes (Lowndes) | O'Neal | Thompson (Pike) |
| Dobbs (Elmore) | Hornsby | Pinkston | Wallace |
| Dobbs (Fayette) | Ingalls | Pinson | Whitcomb |
| Doughty | Johnston | Ramey | White (Covington) |
| Duffee | Knight | Richardson | White (Perry) |
| Dumas | Leonard | Roberts | Wood (Washington) |
| Dyar | | | |

—68

And the bill:

H. 478. To allow members of the County Board of Education of Marion County pay not more than 24 days in one year, payable from the General School Funds of Marion County; Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | Lovelace | Sadler |
| Adams (Jefferson) | Ganey | McClendon | Sellers |
| Barnett | Garrett | McDanal | Shelton |
| Beatty | Gibson | McDonald | Sightler |
| Benford | Gillis | McGowin | Snodgrass |
| Bennett | Givhan | Malone | Stone |
| Brassell | Hankins | Martin | Sullivan |
| Broadwater | Harrison | Miller | Taylor (Autauga) |
| Busby | Haynes (Franklin) | Molette | Taylor (Hale) |
| Callahan | Haynes (Lowndes) | Norman | Thomp- |
| Cobb | Head | Pinkston | son (Crenshaw) |
| Coburn | Hornsby | Pinson | Thompson (Pike) |
| Crocker | Ingalls | Pruitt | Wallace |
| Dobbs (Elmore) | Inzer | Ramey | Whitcomb |
| Dobbs (Fayette) | Johnston | Richardson | White (Covington) |
| Doughty | Larkins | Roberts | White (Perry) |
| Dumas | Leonard | Rogers | Wood (Washington) |
| Dyar | | | |

—68

And the bill:

H. 477. To amend Section V of an Act entitled "To provide for an election of a County Superintendent of Education for Marion County, Alabama, to fix his term of office to provide for filing vacancies therein, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, and to provide for his successor in office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | Lovelace | Roberts |
| Adams (Dale) | Dyar | McClendon | Rogers |
| Adams (Jefferson) | Ganey | McDanal | Sadler |
| Beatty | Garrett | McDonald | Shelton |
| Benford | George | McGowin | Sightler |
| Bennett | Gibson | McIlwain | Snodgrass |
| Brassell | Gillis | Malone | Stone |
| Broadwater | Givhan | Martin | Sullivan |
| Buckner | Hankins | Mason | Taylor (Autauga) |
| Busby | Harris | Merrill | Thomp- |
| Callahan | Harrison | Miller | son (Crenshaw) |
| Cobb | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Coburn | Haynes (Lowndes) | Norman | Wallace |
| Crocker | Hornsby | Pinkston | White (Covington) |
| Dobbs (Elmore) | Ingalls | Pinson | White (Perry) |
| Dobbs (Fayette) | Johnston | Ramey | Wood (Bibb) |
| Doughty | Leonard | Richardson | Wood (Washington) |
| Duffee | | | |

—68

And the bill:

H. 474. To amend Section 1 of an act entitled "An Act to prescribe the salary and manner of payment of the same of the Chief Deputy Sheriff of Macon County, Alabama," approved June 22, 1943.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Dumas | Leonard | Richardson |
| Adams (Dale) | Dyar | Lovelace | Roberts |
| Adams (Jefferson) | Garrett | McDonald | Rogers |
| Barnett | Gibson | McGowin | Sadler |
| Benford | Gillis | McIlwain | Shelton |
| Bennett | Givhan | Malone | Sightler |
| Brannan | Hankins | Martin | Snodgrass |
| Brassell | Harris | Mathison | Still |
| Broadwater | Harrison | Mitchell | Stone |
| Busby | Haynes (Franklin) | Molette | Sullivan |
| Bush | Haynes (Lowndes) | Nelson | Taylor (Autauga) |
| Callahan | Head | Nettles | Taylor (Hale) |
| Coburn | Hornsby | Norman | Thomp- |
| Crocker | Ingalls | O'Neal | son (Crenshaw) |
| Dobbs (Elmore) | Inzer | Pinkston | Thompson (Pike) |
| Dobbs (Fayette) | Johnston | Pinson | Wallace |
| Doughty | Knight | Ramey | Wood (Washington) |
| Duffee | | | —68 |

And the bill:

H. 475. To amend Section 1 of an act entitled "An Act to authorize the Board of Revenue of Macon County, Alabama, to provide for an additional Deputy Sheriff; to provide the manner and method of his appointment and to fix his salary and make provisions for payment of same; and prescribe his duties," approved June 22, 1943.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|------------|
| Mr. Speaker | Dobbs (Fayette) | Head | Mathison |
| Adams (Dale) | Doughty | Ingalls | Merrill |
| Adams (Jefferson) | Duffee | Johnston | Miller |
| Beatty | Dumas | Larkins | Norman |
| Bennett | Dyar | Leonard | Pinkston |
| Brassell | Ganey | Lovelace | Ramey |
| Broadwater | George | McClendon | Richardson |
| Buckner | Gibson | McDanal | Roberts |
| Busby | Gillis | McDonald | Rogers |
| Bush | Givhan | McGowin | Sadler |
| Callahan | Hankins | McIlwain | Shelton |
| Coburn | Harrison | Malone | Sightler |
| Crocker | Haynes (Franklin) | Martin | Snodgrass |
| Dobbs (Elmore) | Haynes (Lowndes) | Mason | Still |

| | | | |
|------------------|-----------------|-------------------|-------------------|
| Stone | Thomp- | Wallace | White (Perry) |
| Sullivan | son (Crenshaw) | Whitcomb | Wood (Bibb) |
| Taylor (Autauga) | Thompson (Pike) | White (Covington) | Wood (Washington) |
| Taylor (Hale) | | | |

—68

And the bill:

H. 484. To prescribe the limit of the Police Jurisdiction of and for the City of Phenix City, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Ganey | McDonald | Rogers |
| Adams (Dale) | George | McGowin | Sadler |
| Adams (Jefferson) | Gibson | McIlwain | Sellers |
| Benford | Gillis | Malone | Shelton |
| Bennett | Givhan | Martin | Sightler |
| Brassell | Hankins | Mathison | Snodgrass |
| Broadwater | Harris | Merrill | Taylor (Autauga) |
| Buckner | Harrison | Miller | Taylor (Hale) |
| Busby | Haynes (Franklin) | Mitchell | Thomp- |
| Callahan | Haynes (Lowndes) | Molette | son (Crenshaw) |
| Coburn | Head | Norman | Thompson (Pike) |
| Crocker | Hornsby | Pinkston | Tucker |
| Dobbs (Elmore) | Ingalls | Pinson | Wallace |
| Dobbs (Fayette) | Johnston | Pruitt | White (Covington) |
| Doughty | Leonard | Ramey | White (Perry) |
| Duffee | McClendon | Richardson | Wood (Bibb) |
| Dumas | McDanal | Roberts | Wood (Washington) |
| Dyar | | | |

—68

And the bill:

H. 482. To Alter or rearrange the boundary lines of the City of Phenix City, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|------------|
| Mr. Speaker | Dobbs (Elmore) | Harris | McIlwain |
| Adams (Dale) | Dobbs (Fayette) | Harrison | Malone |
| Adams (Jefferson) | Doughty | Haynes (Franklin) | Martin |
| Barnett | Duffee | Haynes (Lowndes) | Mason |
| Benford | Dumas | Head | Mathison |
| Bennett | Dyar | Hornsby | Meeks |
| Brassell | Evans | Ingalls | Miller |
| Broadwater | Faulk | Johnston | Mitchell |
| Buckner | Ganey | Kaul | Pinkston |
| Busby | Garrett | Knight | Pinson |
| Bush | George | Larkins | Pruitt |
| Callahan | Gillis | Leonard | Ramey |
| Cobb | Givhan | Lovell | Richardson |
| Crocker | Hankins | McClendon | Roberts |

| | | | |
|---------|------------------|-------------------|-------------------|
| Rogers | Sightler | Thomp- | White (Perry) |
| Sadler | Snodgrass | son (Crenshaw) | Wood (Bibb) |
| Sellers | Taylor (Autauga) | White (Covington) | Wood (Washington) |
| Shelton | | | —68 |

And the bill:

S. 182. To authorize, empower and direct the Board of Revenue or other governing body of Tuscaloosa County to supplement the salary of the Circuit Judge of the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Gibson | Malone | Shelton |
| Adams (Jefferson) | Gillis | Martin | Shirley |
| Bennett | Givhan | Mathison | Sightler |
| Brassell | Hankins | Merrill | Snodgrass |
| Broadwater | Haynes (Franklin) | Miller | Stone |
| Buckner | Haynes (Lowndes) | Molette | Sullivan |
| Busby | Hornsby | Norman | Taylor (Autauga) |
| Callahan | Ingalls | O'Neal | Taylor (Hale) |
| Coburn | Johnston | Pinkston | Thomp- |
| Crocker | Larkins | Pinson | son (Crenshaw) |
| Dobbs (Elmore) | Leonard | Pruitt | Thompson (Pike) |
| Dobbs (Fayette) | Lovelace | Ramey | Wallace |
| Doughty | McClendon | Richardson | Whitcomb |
| Duffee | McDanal | Roberts | White (Covington) |
| Dumas | McDonald | Rogers | White (Perry) |
| Ganey | McGowin | Sadler | Wood (Bibb) |
| Garrett | McIlwain | Sellers | Wood (Washington) |
| George | | | —68 |

And the bill:

S. 156. To authorize circuit judges of judicial circuits composed of one county having but one circuit judge to appoint regular bailiffs and fix their terms of office and salaries.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | McDanal | Sadler |
| Adams (Dale) | Ganey | McDonald | Sellers |
| Adams (Jefferson) | Garrett | McGowin | Shelton |
| Barnett | Gibson | McIlwain | Shirley |
| Benford | Gillis | Malone | Sightler |
| Bennett | Givhan | Martin | Snodgrass |
| Brassell | Hankins | Mason | Stone |
| Broadwater | Harris | Mathison | Sullivan |
| Buckner | Haynes (Franklin) | Merrill | Taylor (Autauga) |
| Busby | Haynes (Lowndes) | Miller | Taylor (Hale) |
| Callahan | Hornsby | Mitchell | Thomp- |
| Coburn | Ingalls | Norman | son (Crenshaw) |
| Crocker | Johnston | Pinkston | Thompson (Pike) |
| Dobbs (Elmore) | Larkins | Ramey | White (Covington) |
| Dobbs (Fayette) | Leonard | Richardson | White (Perry) |
| Doughty | Lovelace | Roberts | Wood (Bibb) |
| Dumas | McClendon | Rogers | Wood (Washington) |
| Dyar | | | —68 |

BILLS INDEFINITELY POSTPONED

On motion of Mr. Stone the bill, H. 91, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 123. Supplemental to Chapter 2 of Title 34 of the Code of Alabama of 1940, which relates to divorce: authorizing circuit courts in equity to divorce persons from the bonds of matrimony for incompatibility.

Was taken up.

Mr. Adams of Jefferson offered the following substitute for the bill, H. 123:

Substitute H. 123 By Adams of Jefferson:

A BILL
TO BE ENTITLED
AN ACT

Supplemental to Chapter 2 of Title 34 of the Code of Alabama of 1940 which relates to divorce: authorizing circuit courts in equity to divorce persons from the bonds of matrimony for incompatibility.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. If the wife is not pregnant and there are no minor children of the marriage, the circuit court in equity has power, upon bill of complaint filed by either husband or wife, to divorce persons from the bonds of matrimony for incompatibility, which term, as used in this Act, means that the parties to the marriage have irreconcilable disagreement as to habit; custom; belief; or conduct that renders cohabitation intolerable.

Section 2. The court shall not have power to grant a divorce pursuant to this Act unless the party applying therefor shall have been a bona fide resident citizen of this State for twelve months next preceding the filing of the bill, which fact must be alleged in the bill and proved.

Section 3. Incompatibility shall not be a defense to any suit for divorce, but, any other ground for which a divorce may be granted under the laws of this State, shall, when alleged and proved by the respondent, be a defense to a suit for divorce based on the ground of incompatibility.

Section 4. No complaint on this ground can be filed in court until the parties shall have been separated for a period of 4 months.

Section 5. No alimony shall be allowable or granted in divorces on ground of incompatibility, where the divorce is granted upon

the wife's petition but the court may in its sound discretion grant a reasonable alimony to the wife when the divorce is granted on the petition of the husband.

Section 6. This act shall become effective upon its approval by the Governor.

Mr. Harris made the motion to re-refer the bill, H. 123, and pending amendment, to the Standing Committee on Judiciary.

RECESS

On motion of Mr. Ingalls the House recessed until 2 o'clock this afternoon.

AFTERNOON SESSION

The hour of two o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 399. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Russellville in Franklin County, Alabama.

Also:

H. 408. To validate certain expenditures ordered by the governing body of Russell County for the relief of W. H. Simmons.

Also:

H. 406. To fix the compensation or salary to be paid the tax collector of Montgomery County, Alabama, and to regulate the payment of same, to provide for the selection of clerical help and other assistance to said officer and the manner of fixing his compensation and paying the same, and to provide rules and regulations for the payment and conduct of such officer; and to require such officer to pay into the county treasury of said county all costs, charges of courts, fees and commissions authorized by law to be collected by said officer as other monies belonging to said county are paid, except any salary, fees or commissions paid said officer for collecting taxes for any municipality.

Also:

H. 340. To re-enact Act 123, approved June 12, 1935, entitled, "An Act to provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines thereof; by showing the beats composing such Commissioners Dis-

tricts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors; to require said Commissioners to give bond and to further regulate and prescribe the powers, authority and duties of said Commissioners Court and to fix penalties for the violation of this Act."

Also:

H. 341. To abolish the office of County Road Supervisor for Henry County, Alabama, as created by Act No. 205, approved November 4, 1932, and to provide that the functions and duties of such officer shall be performed by the county engineer.

Also:

H. 396. To provide an additional method by which the City of Huntsville may extend its corporate limits in addition to any other method now provided by law.

Also:

H. 344. To allow the Sheriff of Lawrence County, Alabama an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments.

Also:

H. 345. To allow the Members of the Board of Education of Lawrence County, Alabama, pay for not more than sixteen days in any one year, and to fix their salary and expenses, payable from the General School Funds of Lawrence County, Alabama.

Also:

H. 346. To allow the Sheriff of Lawrence County, Alabama, the sum of \$50.00 per month for the maintenance, upkeep, operation and repair of an automobile to be used in the performance of his official duties and to make the same payable out of the General Funds of Lawrence County in equal monthly installments.

Also:

H. 360. To provide for the appointment of a deputy register of the Circuit Court of Montgomery County, and to prescribe the duties and fix the compensation and salary of such deputy register.

Also:

H. 362. To provide for the appointment of a deputy clerk of the Circuit Court of Montgomery County, and to prescribe the duties and fix the compensation and salary of such deputy clerk.

Also:

H. 384. To amend Sections 1 and 2 of an Act, entitled an Act "To provide and require the Sheriff of Tallapoosa County, Alabama, to appoint and maintain a regular Deputy Sheriff at each of the following places in said County, to-wit: Alexander City, Dadeville, Daviston, and East Tallassee; to prescribe the duties of such Deputies, to fix their terms of office, to provide for their compensation and the payment thereof by said County, and to fix the amount of such compensation, approved July 17, 1931" as amended by an Act of the Legislature, approved September 9, 1935, and as further amended by an Act of the Legislature, May 20th, 1943.

J. E. Speight,
Secretary.

UNFINISHED BUSINESS

H. 123 INDEFINITELY POSTPONED

On motion of Mr. Thompson (Crenshaw), the bill, H. 123, and pending amendment, were indefinitely postponed.

Yeas 48; Nays 34.

Yeas:

| | | | |
|-----------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | Kaul | Snodgrass |
| Adams (Dale) | Faulk | Knight | Still |
| Beatty | Ganey | Leonard | Stone |
| Bennett | Garrett | McClendon | Taylor (Hale) |
| Broadwater | Gillis | Malone | Thomp- |
| Buckner | Givhan | Martin | son (Crenshaw) |
| Cobb | Hankins | O'Neal | Thompson (Pike) |
| Coburn | Harris | Ramey | Tucker |
| Davis | Harrison | Richardson | Vann |
| Denton | Haynes (Franklin) | Robinson | Wallace |
| Dobbs (Fayette) | Haynes (Lowndes) | Sadler | Weaver |
| Duffee | Howell | Shirley | White (Covington) |
| Dumas | | | —48 |

Nays:

| | | | |
|-------------------|----------|----------|------------------|
| Messrs.: | Evans | McIlwain | Sellers |
| Adams (Jefferson) | George | Mason | Shelton |
| Brannan | Gibson | Mathison | Sightler |
| Brassell | Head | MEEKS | Sullivan |
| Brown | Hornsby | Miller | Taylor (Autauga) |
| Busby | Ingalls | Pinkston | Thagard |
| Callahan | Inzer | Pinson | Ward |
| Dobbs (Elmore) | Lovelace | Pruitt | White (Perry) |
| Doughty | McDonald | Roberts | —34 |

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House bills, to wit;

H. 17. To authorize the Board of Revenue of Calhoun County, Alabama to purchase radios, machine guns, ammunition, and any other equipment that the said Board of Revenue may deem necessary for proper law enforcement for the use of the Sheriff of Calhoun County.

Also:

H. 325. To create the office of County Solicitor of Autauga County, Alabama; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; to define his qualifications; and to repeal all general and local laws in conflict herewith so far as they relate to Autauga County.

Also:

H. 326. To Amend Section 5 of an Act Entitled "An Act To Establish a Board of Revenue for Autauga County and to define the Powers and Duties of said Board of Revenue" Approved February 27, 1879.

Also:

H. 327. To authorize and empower the Judge of Probate of Autauga County, Alabama, to appoint a Chief Clerk, and to fix the salary and to provide the method of payment of salary of said Chief Clerk.

Also:

H. 328. To abolish the office of deputy solicitor of Autauga County, Alabama, to fix the time when such office shall be abolished, and to provide that such bill shall not affect any general, special, or local laws except as herein provided for.

Also:

H. 329. To authorize and empower the Board of Revenue of Autauga County, Alabama, to expend County Funds not exceeding \$3000.00 per annum for purposes not otherwise provided by law.

Also:

H. 340. To re-enact Act 123, approved June 12, 1935, entitled, "An Act To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines thereof; by showing the beats composing such Commissioners Districts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors; to require said Commissioners to give bond and to further regulate and prescribe the powers, authority

and duties of said Commissioners Court and to fix penalties for the violation of this Act."

Also:

H. 341. To abolish the office of County Road Supervisor for Henry County, Alabama, as created by Act No. 205, approved November 4, 1932, and to provide that the functions and duties of such officer shall be performed by the county engineer.

Also:

H. 344. To allow the Sheriff of Lawrence County, Alabama an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments.

Also:

H. 345. To allow the Members of the Board of Education of Lawrence County, Alabama, pay for not more than sixteen days in any one year, and to fix their salary and expenses, payable from the General School Funds of Lawrence County, Alabama.

Also:

H. 346. To allow the Sheriff of Lawrence County, Alabama, the sum of \$50.00 per month for the maintenance, upkeep, operation and repair of an automobile to be used in the performance of his official duties and to make the same payable out of the General Funds of Lawrence County in equal monthly installments.

Also:

H. 353. To amend Section 597, Title 62, Code of Alabama of 1940, relating to the publication of lists of persons drawing compensation from certain cities and towns.

Also:

H. 360. To provide for the appointment of a deputy register of the Circuit Court of Montgomery County, and to prescribe the duties and fix the compensation and salary of such deputy register.

Also:

H. 361. To amend Section 1 of Act 177, approved June 17, 1943, which fixes the compensation of the sheriff of Montgomery County and provides for help and assistants and other expense in the office of the sheriff, by increasing the allowance for help and assistants, and increasing the compensation for the sheriff.

Also:

H. 362. To provide for the appointment of a deputy clerk of the Circuit Court of Montgomery County, and to prescribe the duties and fix the compensation and salary of such deputy clerk.

Also:

H. 363. To amend Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on

June 28, 1940, entitled an Act: "To authorize and empower the Board of Revenue of Montgomery County, Alabama, in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$600.00 per annum to the support of the Montgomery Museum of Fine Arts. Said sum to be paid in equal monthly installments."

Also:

H. 367. To fix the compensation of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide for clerical help and other assistance to said Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for other contingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require said Judge of Probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by law to be collected by said Judge of Probate as other moneys belonging to said county are paid.

Also:

H. 368. To fix the salary of the Deputy Clerk of the Court of Common Pleas of Montgomery.

Also:

H. 384. To amend Sections 1 and 2 of an Act, entitled an Act "To provide, and require the Sheriff of Tallapoosa County, Alabama, to appoint and maintain a regular Deputy Sheriff at each of the following places in said County, to-wit: Alexander City, Dadeville, Daviston, and East Tallassee; to prescribe the duties of such Deputies, to fix their terms of office, to provide for their compensation and the payment thereof by said County, and to fix the amount of such compensation, approved July 17, 1931" as amended by an Act of the Legislature, approved September 9, 1935, and as further amended by an Act of the Legislature, May 20th, 1943.

Also:

H. 395. To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis.

Also:

H. 396. To provide an additional method by which the City of Huntsville may extend its corporate limits in addition to any other method now provided by law.

Also:

H. 399. To extend, alter, and rearrange the boundary lines and corporate limits of the the City of Russellville in Franklin County, Alabama.

Also:

H. 406. To fix the compensation or salary to be paid the tax collector of Montgomery County, Alabama, and to regulate the payment of same, to provide for the selection of clerical help and other assistance to said officer and the manner of fixing his compensation and paying the same, and to provide rules and regulations for the payment and conduct of such officer; and to require such officer to pay into the county treasury of said county all costs, charges of courts, fees and commissions authorized by law to be collected by said officer as other monies belonging to said county are paid, except for any salary, fees or commissions paid said officer for collecting taxes for any municipality.

Also:

H. 408. To validate certain expenditures ordered by the governing body of Russell County for the relief of W. H. Simmons.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 98. To amend an Act entitled "An Act to authorize the establishment and the maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervisions thereof; to repeal all laws and parts of laws inconsistent and in conflict with the provisions of this Act, and for other purposes," approved July 8, 1943.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|------------------|
| Mr. Speaker | Faulk | McDonald | Rogers |
| Adams (Dale) | Ganey | McGowin | Shelton |
| Adams (Jefferson) | George | McIlwain | Shirley |
| Beatty | Gibson | Malone | Stewart |
| Bennett | Gillis | Martin | Still |
| Brannan | Hankins | Mason | Stone |
| Buckner | Harris | Mathison | Sullivan |
| Busby | Harrison | Meeks | Taylor (Autauga) |
| Callahan | Haynes (Franklin) | Miller | Taylor (Hale) |
| Cobb | Head | Molette | Thomp- |
| Coburn | Howell | Nelson | son (Crenshaw) |
| Cox | Inzer | O'Neal | Thompson (Pike) |
| Davis | Johnston | Pinson | Tucker |
| Denton | Knight | Ramey | Ward |
| Dobbs (Elmore) | Larkins | Richardson | Weaver |
| Doughty | Leonard | Roberts | Whitcomb |
| Dumas | Lovelace | Robinson | Wood (Bibb) |
| Dyar | McClendon | | |

—69

RESOLUTION

The following resolution was introduced:

By Mr. Duffee:

H.J.R. 37. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the Senate concurring, that House Bill No. 384 be known as the Duffee, Sellers, Lamberth Bill.

On motion of Mr. Duffee the rules were suspended, and H.J.R. 37 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Boutwell:

S. 223. To amend section 3 of the act establishing the Intermediate Civil Court of Birmingham, approved September 7, 1935 (Local Acts of Alabama, page 219).

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made at the present regular session of the Legislature of Alabama at the adjourned session thereof commencing in June, 1947, for the passage of a local law, in substance to amend section 3 of the act establishing the Intermediate Civil Court of Birmingham, approved September 7, 1935 (Local Acts of Alabama, page 219),

so as to include within the territorial jurisdiction of said Court, Fairfield Precinct No. 53.
B'ham. Mess.—May 24-31, June 7-14, 1947.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said Statg, personally appeared Elise Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 24, 31; June 7, 14, 1947, a legal notice, a copy of which is hereto attached.

ELISE WHEELER,
Publisher.

Sworn and subscribed to on this the 14th day of June, 1947.

PAUL G. PARSONS,
Notary Public.

(SEAL)

Also:

By Mr. Gaither:

S. 224. To repeal an Act providing for the payment of salaries of the members of the Court of County Commissioners of Cleburne County, Alabama—Approved Feb. 24, 1937.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

is hereby given that a bill will be introduced in the Legislature of Alabama during the 1947 Session thereof, which bill is in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To repeal an Act providing for the payment of salaries of the members of the Court of County Commissioners of Cleburne County, Alabama,—Approved Feb. 24, 1937.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION ONE: That the Act, approved Feb. 24, 1937, authorizing and directing the members of the Board of County Commissioners of Cleburne County to supervise and inspect the construction and maintenance of roads and bridges, and to provide for their compensation, be and the same is hereby repealed.

SECTION TWO: This Act shall become effective upon the approval by the Governor.

STATE OF ALABAMA
CLEBURNE COUNTY

Before me, Myrl Wager, a Notary Public and Ex-Officio Justice of the Peace, in and for said State and County, this day personally appeared Dan W. Hollis Jr., who being by me first duly sworn, deposes and says that he is the publisher of The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama; that the above and foregoing notice was published once a week for four consecutive weeks in The Cleburne News, on to-wit: May 22, 1947, May 29, 1947, June 5, 1947 and June 12, 1947.

DAN W. HOLLIS, JR., •
Publisher of The Cleburne News.

Sworn to and subscribed before me this the 23rd day of June, 1947.

(SEAL) MYRL WAGER,
Notary Public and Ex-Officio Justice of the Peace.

Also:

By Mr. Howle:

S. 95. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 223. Local Legislation

S. 224. Local Legislation

S. 95. Local Government

HOUSE BILL 123 RECONSIDERED

Mr. Tucker moved to reconsider the vote by which the bill, H. 123 and pending amendment were indefinitely postponed.

The motion of Mr. Harris to table the motion of Mr. Tucker was lost.

Yeas 41; Nays 55.

Yeas:

| | |
|-----------------|------------------|
| Mr. Speaker | Duffee |
| Adams (Dale) | Dumas |
| Reattv | Dyar |
| Benford | Faulk |
| Bennett | Ganey |
| Buckner | Garrett |
| Cobb | Gillis |
| Coburn | Hankins |
| Davis | Harris |
| Denton | Harrison |
| Dobbs (Fayette) | Haynes (Lowndes) |

| | |
|------------|---------------------|
| Kaul | Robinson |
| Leonard | Sadler |
| McClendon | Shirley |
| Malone | Snodgrass |
| Martin | Still |
| Mitchell | Taylor (Hale) |
| O'Neal | Thompson (Crenshaw) |
| Pinson | Vann |
| Ramey | White (Covington) |
| Richardson | |

Nays:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Messrs. : | Doughty | McDanal | Shelton |
| Adams (Jefferson) | Evans | McDonald | Sightler |
| Barnett | George | McIlwain | Stewart |
| Black | Gibson | Mason | Stone |
| Brannan | Givhan | Mathison | Sullivan |
| Brassell | Haynes (Franklin) | Meeks | Thagard |
| Broadwater | Head | Merrill | Thomas |
| Brown | Howell | Miller | Thompson (Pike) |
| Busby | Ingalls | Molette | Tucker |
| Bush | Inzer | Pinkston | Wallace |
| Callahan | Johnston | Pruitt | Ward |
| Cox | Knight | Roberts | Whitcomb |
| Crocker | Larkins | Rogers | Wood (Bibb) |
| Dobbs (Elmore) | Lovelace | Sellers | Wood (Washington) |

—55

And the motion of Mr. Tucker to reconsider the vote by which the bill, H. 123 and pending amendment were postponed, was adopted.

Yeas 57; Nays 42.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Messrs. : | Dyar | McIlwain | Shelton |
| Adams (Jefferson) | Evans | Mason | Sightler |
| Barnett | George | Mathison | Stewart |
| Black | Gibson | Meeks | Stone |
| Brannan | Haynes (Franklin) | Merrill | Sullivan |
| Brassell | Head | Miller | Thagard |
| Broadwater | Hornsby | Mitchell | Thomas |
| Brown | Howell | Pinkston | Tucker |
| Busby | Ingalls | Pinson | Wallace |
| Callahan | Inzer | Pruitt | Ward |
| Cox | Johnston | Richardson | Whitcomb |
| Crocker | Knight | Roberts | White (Perry) |
| Dobbs (Elmore) | Larkins | Rogers | Wood (Bibb) |
| Doughty | Lovelace | Sellers | Wood (Washington) |
| Duffee | McDanal | | |

—57

Nays:

| | | | |
|-----------------|------------------|-----------|---------------------|
| Mr. Speaker | Dumas | Leonard | Snodgrass |
| Adams (Dale) | Faulk | McClendon | Still |
| Beatty | Ganey | McDonald | Taylor (Autauga) |
| Benford | Garrett | Malone | Taylor (Hale) |
| Bennett | Gillis | Martin | Thompson (Crenshaw) |
| Buckner | Givhan | Molette | Thompson (Pike) |
| Cobb | Hankins | O'Neal | Vann |
| Coburn | Harris | Ramey | Weaver |
| Davis | Harrison | Robinson | White (Covington) |
| Denton | Haynes (Lowndes) | Sadler | |
| Dobbs (Fayette) | Kaul | Shirley | |

—42

And the substitute offered by Mr. Adams of Jefferson for the bill, H. 123, was adopted.

Yeas 59; Nays 34.

Yeas:

| | | | |
|-------------------|----------|------------|---------------|
| Messrs.: | Dumas | McDanal | Roberts |
| Adams (Jefferson) | Dyar | McDonald | Sellers |
| Black | Evans | McIlwain | Shelton |
| Brannan | George | Martin | Sightler |
| Brassell | Gibson | Mason | Stewart |
| Broadwater | Givhan | Mathison | Stone |
| Brown | Harris | Meeks | Sullivan |
| Buckner | Head | Miller | Taylor (Hale) |
| Busby | Hornsby | Mitchell | Thagard |
| Callahan | Howell | O'Neal | Thomas |
| Cox | Ingalls | Pinkston | Wallace |
| Crocker | Inzer | Pinson | Ward |
| Dobbs (Elmore) | Johnston | Pruitt | Whitcomb |
| Dobbs (Fayette) | Knight | Ramey | White (Perry) |
| Doughty | Lovelace | Richardson | Wood (Bibb) |

—59

Nays:

| | | | |
|--------------|-------------------|-----------|-------------------|
| Mr. Speaker | Faulk | Larkins | Still |
| Adams (Dale) | Ganey | Leonard | Thomp- |
| Beatty | Garrett | McClendon | son (Crenshaw) |
| Bennett | Gillis | Malone | Thompson (Pike) |
| Bush | Hankins | Merrill | Tucker |
| Coburn | Harrison | Molette | Vann |
| Davis | Haynes (Franklin) | Robinson | White (Covington) |
| Denton | Haynes (Lowndes) | Sadler | Wood (Washington) |
| Duffee | Kaul | Shirley | |

—34

Mr. Harris offered the following amendment to the bill, H. 123, as amended:

Amend H. 123 as amended by adding thereto Section 5½, following Section 5, as follows:

Section 5½. No divorce shall be granted on the ground of incompatibility unless the defendant appears in person before the judge of the Court in which the suit is pending and consents in writing, separate and apart from the complainant, to the rendition of a decree of divorce.

The motion of Mr. Wood of Bibb to table the amendment offered by Mr. Harris, was lost.

Yeas 43; Nays 58.

Yeas:

| | | | |
|----------------|----------|----------|-------------------|
| Messrs.: | George | McDanal | Shelton |
| Benford | Gibson | McDonald | Sightler |
| Black | Gillis | McIlwain | Stone |
| Brassell | Head | Mason | Sullivan |
| Brown | Hornsby | Mathison | Thagard |
| Busby | Howell | Meeks | Tucker |
| Callahan | Ingalls | Molette | Ward |
| Crocker | Inzer | Pinkston | Whitcomb |
| Dobbs (Elmore) | Johnston | Pruitt | White (Perry) |
| Doughty | Knight | Roberts | Wood (Bibb) |
| Evans | Lovelace | Sellers | Wood (Washington) |

—43

Nays:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Leonard | Shirley |
| Adams (Dale) | Duffee | McClendon | Snodgrass |
| Adams (Jefferson) | Dumas | McGowin | Stewart |
| Barnett | Dyar | Malone | Still |
| Beatty | Faulk | Martin | Taylor (Autauga) |
| Bennett | Ganey | Merrill | Taylor (Hale) |
| Brannan | Garrett | Miller | Thomas |
| Broadwater | Givhan | Mitchell | Thomp- |
| Buckner | Hankins | O'Neal | son (Crenshaw) |
| Bush | Harris | Pinson | Thompson (Pike) |
| Cobb | Harrison | Ramey | Vann |
| Coburn | Haynes (Franklin) | Richardson | Wallace |
| Cox | Haynes (Lowndes) | Robinson | Weaver |
| Davis | Kaul | Rogers | White (Covington) |
| Denton | Larkins | Sadler | |

—58

And the amendment offered by Mr. Harris to the bill, H. 123, as amended, was adopted.

Yeas 55; Nays 40.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Kaul | Robinson |
| Adams (Dale) | Duffee | Larkins | Sadler |
| Barnett | Dumas | Leonard | Snodgrass |
| Beatty | Dyar | McClendon | Stewart |
| Bennett | Faulk | McGowin | Still |
| Black | Ganey | Malone | Taylor (Hale) |
| Brannan | Garrett | Martin | Thomas |
| Broadwater | Gillis | Merrill | Thomp- |
| Buckner | Givhan | Miller | son (Crenshaw) |
| Bush | Hankins | Mitchell | Vann |
| Cobb | Harris | Molette | Wallace |
| Coburn | Harrison | Pinson | Weaver |
| Davis | Haynes (Franklin) | Ramey | White (Covington) |
| Denton | Haynes (Lowndes) | Richardson | Wood (Washington) |

—55

Nays:

| | | | |
|-------------------|----------|----------|-----------------|
| Messrs.: | Gibson | Mason | Sightler |
| Adams (Jefferson) | Head | Mathison | Stone |
| Benford | Hornsby | Meeks | Sullivan |
| Brassell | Howell | O'Neal | Thagard |
| Brown | Ingalls | Pinkston | Thompson (Pike) |
| Busby | Inzer | Pruitt | Tucker |
| Crocker | Johnston | Roberts | Ward |
| Dobbs (Elmore) | Knight | Sellers | Whitcomb |
| Doughty | McDanal | Shelton | White (Perry) |
| Evans | McDonald | Shirley | Wood (Bibb) |
| George | | | |

—40

Mr. Stone offered the following amendment to the bill, H. 123, as amended:

Amend H. 123, as amended, by striking therefrom all that portion of Section 5 following the word incompatibility.

And the amendment offered by Mr. Stone was adopted.

Yeas 93; Nays 4.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Doughty | Larkins | Rogers |
| Adams (Dale) | Duffee | Leonard | Sadler |
| Adams (Jefferson) | Dumas | Lovelace | Sellers |
| Barnett | Dyar | McClendon | Shelton |
| Beatty | Evans | McDanal | Shirley |
| Benford | Faulk | McDonald | Snodgrass |
| Bennett | Ganey | McGowin | Stewart |
| Black | Garrett | McIlwain | Still |
| Brannan | George | Malone | Stone |
| Brassell | Gibson | Martin | Sullivan |
| Broadwater | Givhan | Mason | Taylor (Autauga) |
| Brown | Hankins | Mathison | Taylor (Hale) |
| Buckner | Harris | Meeks | Thomas |
| Busby | Harrison | Merrill | Thomp- |
| Bush | Haynes (Franklin) | Mitchell | son (Crenshaw) |
| Callahan | Haynes (Lowndes) | Molette | Thompson (Pike) |
| Cobb | Head | Nelson | Vann |
| Coburn | Hornsby | O'Neal | Wallace |
| Cox | Howell | Pinkston | Ward |
| Crocker | Ingalls | Ramey | Weaver |
| Davis | Inzer | Richardson | White (Covington) |
| Denton | Johnston | Roberts | White (Perry) |
| Dobbs (Elmore) | Kaul | Robinson | Wood (Washington) |
| Dobbs (Fayette) | Knight | | —93 |

Nays: Messrs. Miller, Pruitt, Whitcomb, Wood (Bibb)

—4

Mr. McIlwain offered the following amendment to the bill, H. 123, as amended:

Amend H. 123. as amended as follows:

Amend Section 5½ by striking the word judge and insert in lieu thereof the word register.

And the amendment of Mr. McIlwain was adopted.

Yeas 88; Nays 4.

Yeas:

| | | | |
|--------------|-------------------|----------|------------------|
| Mr. Speaker | Dobbs (Elmore) | Ingalls | O'Neal |
| Adams (Dale) | Dobbs (Fayette) | Inzer | Pinkston |
| Beatty | Doughty | Johnston | Pinson |
| Bennett | Duffee | Larkins | Pruitt |
| Black | Dyar | Leonard | Ramey |
| Brannan | Evans | Lovelace | Richardson |
| Brassell | Faulk | McDanal | Roberts |
| Broadwater | Ganey | McDonald | Robinson |
| Brown | Garrett | McIlwain | Rogers |
| Buckner | George | Malone | Sellers |
| Busby | Gibson | Martin | Shelton |
| Bush | Givhan | Mason | Shirley |
| Callahan | Hankins | Mathison | Sightler |
| Cobb | Harris | Meeks | Snodgrass |
| Coburn | Harrison | Merrill | Stewart |
| Cox | Haynes (Franklin) | Miller | Stone |
| Crocker | Haynes (Lowndes) | Mitchell | Sullivan |
| Davis | Head | Molette | Taylor (Autauga) |
| Denton | Howell | Nelson | Taylor (Hale) |

| | | | |
|---------------------|-----------------|-------------------|-------------------|
| Thagard | Thompson (Pike) | Ward | White (Perry) |
| Thomas | Vann | Weaver | Wood (Bibb) |
| Thompson (Crenshaw) | Wallace | White (Covington) | Wood (Washington) |

—88

Nays: Messrs. Adams (Jefferson), Dumas, Kaul and Sadler

—4

And said bill, H. 123, as amended, was read a third time at length and lost.

Yeas 46; Nays 51.

Yeas:

| | | | |
|-------------------|----------|----------|-------------------|
| Messrs.: | Garrett | Mathison | Stewart |
| Adams (Jefferson) | George | Meeks | Storfe |
| Barnett | Gibson | Miller | Sullivan |
| Brannan | Head | Nelson | Taylor (Autauga) |
| Brassell | Howell | Pinkston | Taylor (Hale) |
| Brown | Ingalls | Pinson | Thagard |
| Busby | Inzer | Pruitt | Ward |
| Callahan | Johnston | Roberts | Whitcomb |
| Cox | Lovelace | Rogers | White (Perry) |
| Crocker | McDanal | Sellers | Wood (Bibb) |
| Dobbs (Elmore) | McDonald | Shelton | Wood (Washington) |
| Doughty | Mason | Sightler | |

—46

Nays:

| | | | |
|--------------|-------------------|------------------|---------------------|
| Mr. Speaker | Dobbs (Fayette) | Haynes (Lowndes) | Robinson |
| Adams (Dale) | Duffee | Kaul | Sadler |
| Beatty | Dumas | Larkins | Snodgrass |
| Benford | Dyar | Leonard | Still |
| Bennett | Evans | McClendon | Thomas |
| Black | Faulk | Malone | Thompson (Crenshaw) |
| Broadwater | Ganey | Martin | Thompson (Pike) |
| Buckner | Gillis | Merrill | Tucker |
| Bush | Givhan | Mitchell | Vann |
| Cobb | Hankins | Molette | Wallace |
| Coburn | Harris | O'Neal | Weaver |
| Davis | Harrison | Ramey | White (Covington) |
| Denton | Haynes (Franklin) | Richardson | |

—51

BILL POSTPONED

On motion of Mr. Benford the bill, H. 111, was postponed to the 17th Legislative Day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Allen:

S.J.R. 23. BE IT RESOLVED by the Senate, the House con-

curing, that House Bill No. 396, which has passed both Houses of the Legislature, be designated as the Davis, Vann and Lowe Bill.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Miller the rules were suspended and the House concurred in and adopted S.J.R. 23 set out the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 37. Relative to naming House Bill No. 384 as the Duffee, Sellers, Lamberth Bill.

J. E. Speight,
Secretary.

RESOLUTION

The following resolution was introduced:

By Messrs. Miller and White (Covington):

H.J.R. 38. To create a special legislative committee to study and make recommendations regarding the problem and needs of education in Alabama.

WHEREAS education is a major problem of utmost importance in the State, the aspects and nature of which are constantly changing, and

WHEREAS this problem needs to be studied and examined continuously in an effort to produce the most efficient and soundest educational system and facilities, therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING:

1. That a special legislative committee be created to be known as the Special Legislative Committee on Education, which shall make a detailed study of the problems and needs of education in Alabama. and shall present a detailed written report of its findings and recommendations to the Interim Committee on Education at the regular session of the Legislature in 1949 or, if there be no Interim Committee on Education, to the Legislature at such time.

2. The committee shall consist of three members of the Legislature. Two members shall be members of the House of Repre-

sentatives and shall be appointed by the Speaker; and one member shall be a member of the Senate and shall be appointed by the President of the Senate. The members of the committee shall select one of their number to be chairman. The committee shall meet at the call of the chairman. Any vacancy in the committee shall be filled by an appointment made by the President of the Senate or the Speaker of the House, as the case may be. The committee shall advise from time to time with the State Superintendent of Education, the State Board of Education, and any other agency, group or individual interested in education. In the performance of its duties, the committee shall have full power and authority to examine the records of any agency of the State or any of its political subdivisions, and is authorized to utilize the services, information, facilities, and personnel of any State agency.

3. The committee shall be paid in accordance with the provisions of Section 13, Title 32 of the 1940 Code out of the funds appropriated in Section 14, Title 32 of the 1940 Code, but shall be paid only for the days the committees meet.

H.J.R. 38 was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

(With amendment):

H. 182. To authorize and empower the Court of County Commissioners and Board of Revenue of the several counties of the State of Alabama to expend from the general fund of the several counties a sum not exceeding \$2,000.00 per annum for any purpose deemed desirable or advisable by the Courts of County Commissioners or Boards of Revenue of the several counties of the State of Alabama.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Government, said committee amendment being as follows:

AMENDMENT TO HOUSE BILL 182

Amend H. 182 by inserting in lieu of Section 1 the following:

Section 1. That the Courts of County Commissioners of Boards of Revenue of the several counties of the State of Alabama are authorized and empowered to expend from the general fund of the county for any purpose or purposes deemed desirable or expedient by the respective Courts of County Commissioners or Boards of Revenue a sum not to exceed \$2,000.00 per annum, "in addition to all sums now or hereafter authorized to be expended for this purpose."

On motion of Mr. Harris the amendment reported by the Stand-

ing Committee on Local Government to the bill, H. 182, was laid upon the table.

Mr. Harris offered the following amendment to the bill, H. 182:

Amend the title and body of H. 182 by striking therefrom the figures "2000.00" wherever they occur therein, and by inserting in lieu thereof the figures "1000.00"

The motion of Mr. Wood (Bibb) to indefinitely postpone the bill, H. 182 and pending amendment, was adopted.

Yeas 50; Nays 43.

Yeas:

| | | | |
|----------------|------------------|------------|---------------------|
| Messrs.: | Faulk | Meeks | Snodgrass |
| Beatty | Ganey | Merrill | Stone |
| Black | Gibson | Miller | Sullivan |
| Brassell | Haynes (Lowndes) | Mitchell | Taylor (Autauga) |
| Buckner | Ingalls | Nelson | Taylor (Hale) |
| Cox | Inzer | O'Neal | Thagard |
| Crocker | Johnston | Pinkston | Thompson (Crenshaw) |
| Davis | Kaul | Pinson | Vann |
| Denton | McClendon | Richardson | Whitcomb |
| Dobbs (Elmore) | McDanal | Robinson | White (Covington) |
| Dumas | McGowin | Sadler | Wood (Bibb) |
| Dyar | McIlwain | Shirley | Wood (Washington) |
| Evans | Malone | Sightler | |

—50

Nays:

| | | | |
|--------------|-------------------|----------|-----------------|
| Mr. Speaker | Coburn | Head | Rogers |
| Adams (Dale) | Dobbs (Fayette) | Howell | Shelton |
| Barnett | Duffee | Larkins | Stewart |
| Benford | Garrett | Leonard | Still |
| Bennett | George | Lovelace | Thomas |
| Brannan | Gillis | Martin | Thompson (Pike) |
| Broadwater | Givhan | Mason | Wallace |
| Brown | Hankins | Mathison | Ward |
| Busby | Harris | Molette | Weaver |
| Bush | Harrison | Pruitt | White (Perry) |
| Cobb | Haynes (Franklin) | Ramey | |

—43

BILL POSTPONED

On motion of Mr. Larkins the bill, H. 317, was postponed until the 14th Legislative Day.

BILLS ON THIRD READING RESUMED

H. 211. To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of the said salaries by the Counties of certain Judicial Circuits.

Was taken up.

Mr. Stone offered the following substitute for the bill, H. 211:

Stone 211.

A BILL
TO BE ENTITLED
AN ACT

To fix and prescribe the salaries to be paid the circuit judges by the State of Alabama and to provide for the supplementing of said salaries by the counties of certain judicial circuits.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That after the passage and approval of this act the salary of each and every circuit judge in the state of Alabama, in all circuits of the state, shall be the sum of six thousand dollars (\$6,000.00) per annum, and shall be payable out of the state treasury in equal monthly installments as the salaries of other state officials are paid. Provided, however, the sum of one thousand dollars (\$1,000.00) thereof, shall be conditioned to the extent of lapsing in part or in whole should it ever become necessary to prorate funds in the treasury among the various services and offices of the state government in accordance with amendment 26, article 22, amending section 213 of the Constitution, and in accordance with statutes passed thereunder. In all circuits composed of only one county and having only two judges each judge shall be paid out of the county treasury an additional sum of three thousand dollars (\$3,000.00) per annum, in twelve equal monthly installments. In all circuits composed of only one county having more than two judges and less than nine judges an additional sum of three thousand dollars (\$3,000.00) per annum to each of such judges shall be paid out of the county treasury in twelve equal monthly installments. In all circuits composed of only one county having nine or more judges each judge shall be paid out of the county treasury an additional sum of Two Thousand dollars (\$2,000.00) per annum in twelve equal monthly installments. In circuits composed of only one county and having only one judge the county composing such circuit shall pay the judge an additional sum of twelve hundred dollars (\$1,200.00) per annum in twelve equal monthly installments and any law local or special affecting this provision of this section relative to circuits composed of only one county and having only one judge is hereby expressly repealed. In all other cases in which the salary of the circuit judge is by law supplemented by a county or counties the same shall continue to be paid as now provided by law and which shall be in addition to the salaries paid by the state.

Section 2. That all laws and parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall take effect upon its passage and approval by the governor.

And the substitute was adopted.

Yeas 78; Nays 2.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dyar | McDonald | Sadler |
| Adams (Dale) | Evans | McGowin | Sellers |
| Adams (Jefferson) | Faulk | McIlwain | Shelton |
| Beatty | George | Martin | Sightler |
| Benford | Gibson | Mason | Snodgrass |
| Bennett | Gillis | Mathison | Stewart |
| Black | Givhan | Meeks | Still |
| Brannan | Hankins | Merrill | Stone |
| Brassell | Harris | Miller | Sullivan |
| Broadwater | Harrison | Mitchell | Taylor (Hale) |
| Buckner | Haynes (Lowndes) | Molette | Thagard |
| Busby | Head | Nelson | Thomas |
| Bush | Howell | O'Neal | Thompson (Pike) |
| Callahan | Ingalls | Pinkston | Wallace |
| Cobb | Inzer | Pinson | Ward |
| Coburn | Johnston | Pruitt | Weaver |
| Davis | Kaul | Richardson | White (Perry) |
| Denton | Leonard | Roberts | Wood (Bibb) |
| Dobbs (Fayette) | McClendon | Robinson | Wood (Washington) |
| Dumas | McDanal | | |

—78

Nays: Messrs.: Cox and Haynes (Franklin).

—2

And said bill, H. 211, as amended by the substitute offered by Mr. Stone, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 1.

Yeas:

| | | | |
|-----------------|------------------|------------|-------------------|
| Mr. Speaker | Dumas | McDonald | Sadler |
| Adams (Dale) | Dyar | McIlwain | Sellers |
| Beatty | George | Malone | Shelton |
| Benford | Gibson | Martin | Shirley |
| Bennett | Givhan | Mason | Sightler |
| Black | Hankins | Mathison | Stewart |
| Brassell | Harris | Merrill | Still |
| Broadwater | Harrison | Miller | Sullivan |
| Bush | Haynes (Lowndes) | Mitchell | Taylor (Hale) |
| Callahan | Head | Molette | Thomas |
| Cobb | Howell | Nelson | Thompson (Pike) |
| Coburn | Ingalls | Pinkston | Wallace |
| Davis | Johnston | Pinson | Ward |
| Denton | Kaul | Pruitt | Weaver |
| Dobbs (Elmore) | McClendon | Richardson | Wood (Bibb) |
| Dobbs (Fayette) | McDanal | Roberts | Wood (Washington) |
| Duffee | | | |

—65

Nays: Mr. Haynes (Franklin).

—1

And the bill:

H. 315. To provide that any sheriff of the State of Alabama shall in certain cases, be entitled to a sum equivalent to 10 cents per mile, to be taxed as costs, for executing a writ of arrest, or like

process, issued by any court of competent jurisdiction of Alabama; and to provide for the payment of said claim.

Was taken up.

On motion of Mr. Garrett the motion of Mr. Gibson to re-refer the bill, H. 315 to the Standing Committee on Ways and Means, was laid upon the table.

Yeas 63; Nays 28.

Yeas:

| | | | |
|-----------------|------------------|------------|---------------------|
| Mr. Speaker | Doughty | Lovlace | Shelton |
| Adams (Dale) | Duffee | McClendon | Shirley |
| Benford | Dyar | McDanal | Snodgrass |
| Bennett | Evans | McIlwain | Stewart |
| Black | Faulk | Martin | Still |
| Brannan | Ganey | Mason | Taylor (Autauga) |
| Brassell | Garrett | Mathison | Taylor (Hale) |
| Broadwater | Gillis | Merrill | Thagard |
| Buckner | Hankins | Miller | Thomas |
| Busby | Harris | Mitchell | Thompson (Crenshaw) |
| Callahan | Harrison | Molette | Wallace |
| Cobb | Haynes (Lowndes) | Nelson | Whitcomb |
| Coburn | Head | Pinson | White (Perry) |
| Crocker | Inzer | Pruitt | Wood (Bibb) |
| Dobbs (Elmore) | Larkins | Ramey | Wood (Washington) |
| Dobbs (Fayette) | Leonard | Richardson | |

—63

Nays:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Messrs.: | Denton | Ingalls | Rogers |
| Adams (Jefferson) | Dumas | Kaul | Sadler |
| Barnett | George | Malone | Sellers |
| Beatty | Gibson | Meeks | Vann |
| Brown | Givhan | Pinkston | Ward |
| Bush | Haynes (Franklin) | Roberts | Weaver |
| Cox | Howell | Robinson | White (Covington) |
| Davis | | | |

—28

Messrs. Johnston, Busby and Gibson offered the following amendment to the bill, H. 315:

Amendment to H. 315 By Messrs. Johnston, Busby and Gibson:

Amend the caption to H.B. 315 by inserting between the word "Alabama" and "shall" in line one of said caption the words "except in all counties having a population according to the last or any subsequent Federal census of more than 100,000 population."

And amend the said bill by adding a new Section 4 as follows:

Section 4. This act shall not apply in any counties having a population, according to the last or any subsequent Federal census of more than 100,000 population.

And the amendment was adopted.

Yeas 87; Nays 3.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | McDanal | Shelton |
| Adams (Dale) | Faulk | McDonald | Shirley |
| Adams (Jefferson) | Ganey | McIlwain | Sightler |
| Beatty | Garrett | Malone | Snodgrass |
| Benford | George | Martin | Stewart |
| Bennett | Gibson | Mason | Still |
| Black | Gillis | Mathison | Stone |
| Brassell | Givhan | Meeks | Sullivan |
| Broadwater | Hankins | Merrill | Taylor (Autauga) |
| Buckner | Harris | Miller | Taylor (Hale) |
| Busby | Harrison | Mitchell | Thagard |
| Bush | Haynes (Franklin) | Molette | Thomas |
| Callahan | Haynes (Lowndes) | Nelson | Thomp- |
| Cobb | Head | Pinkston | son (Crenshaw) |
| Coburn | Howell | Pinson | Thompson (Pike) |
| Cox | Ingalls | Pruitt | Wallace |
| Crocker | Inzer | Ramey | Weaver |
| Denton | Johnston | Richardson | Whitcomb |
| Dobbs (Elmore) | Kaul | Roberts | White (Covington) |
| Dobbs (Fayette) | Larkins | Robinson | White (Perry) |
| Doughty | Leonard | Sadler | Wood (Bibb) |
| Dyar | McClendon | Sellers | Wood (Washington) |

—87

Nays: Messrs.: Brannan, Davis and Duffee.

—3

And the bill, H. 315, as amended by the amendment offered by Messrs. Johnston, Busby and Gibson, was read a third time at length and passed.

*Yeas 78; Nays 9.**Yeas:*

| | | | |
|-----------------|------------------|------------|-------------------|
| Mr. Speaker | Doughty | McClendon | Shirley |
| Adams (Dale) | Dyar | McDanal | Sightler |
| Barnett | Evans | McDonald | Snodgrass |
| Benford | Faulk | McIlwain | Stewart |
| Bennett | Ganey | Martin | Still |
| Black | Garrett | Mason | Taylor (Autauga) |
| Brannan | George | Mathison | Taylor (Hale) |
| Brassell | Gillis | Merrill | Thagard |
| Broadwater | Givhan | Miller | Thomas |
| Buckner | Hankins | Mitchell | Thomp- |
| Busby | Harris | Molette | son (Crenshaw) |
| Bush | Harrison | Nelson | Thompson (Pike) |
| Callahan | Haynes (Lowndes) | Pinkston | Wallace |
| Cobb | Head | Pinson | Ward |
| Coburn | Howell | Pruitt | Whitcomb |
| Cox | Ingalls | Ramey | White (Covington) |
| Crocker | Inzer | Richardson | White (Perry) |
| Denton | Larkins | Roberts | Wood (Bibb) |
| Dobbs (Elmore) | Leonard | Robinson | Wood (Washington) |
| Dobbs (Fayette) | Lovelace | Shelton | |

—78

Nays:

| | | | |
|----------|--------|---------|--------|
| Messrs.: | Davis | Meeks | Vann |
| Beatty | Duffee | Sellers | Weaver |
| Brown | Malone | | |

—9

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:52 A.M. on July 1, 1947.

H. 95

H. 101

H. 115

H. 133

H. 171

H. 181

H. 203

H. 252

H. 259

H. 260

H. 261

H. 262

H. 263

H. 278

H. 290

H. 291

H. 300

H. 305

H. 307

H. 322

Delivered to the Governor at 2:52 P.M. on July 1, 1947.

H. 17

H. 325

H. 326

H. 327

H. 328

H. 329

H. 340

H. 341

H. 344

H. 345

H. 346

H. 353

H. 360

H. 361

H. 362

H. 363

H. 367

H. 368

H. 384

H. 395

H. 396

H. 399

H. 406

H. 408

R. T. Goodwyn, Jr.,
Clerk.

MOTION TO RECONSIDER H.R. 34

On motion of Mr. Sullivan, the motion of Mr. Wallace to reconsider the vote by which H.R. 34, was adopted, was laid upon the table.

Yeas 53; Nays 24.

Yeas:

Messrs.:

Adams (Jefferson)

Barnett

Beatty

Benford

Black

Brannan

Brassell

Broadwater

Busby

Bush

Cobb

Coburn

Crocker

Davis

Dobbs (Fayette)

Duffee

Dumas

Dyar

Evans

Faulk

George

Gibson

Gillis

Givhan

Harris

Harrison

Ingalls

| | | | |
|----------|------------|------------------|-------------------|
| Inzer | Molette | Stewart | Thomas |
| Johnston | Pinkston | Still | Vann |
| Kaul | Pruitt | Stone | Ward |
| McDanal | Richardson | Sullivan | Whitcomb |
| McIlwain | Sadler | Taylor (Autauga) | Wood (Bibb) |
| Mason | Sellers | Taylor (Hale) | Wood (Washington) |
| Meeks | Sightler | | |

—53

Nays:

| | | | |
|--------------|-------------------|-----------|---------------------|
| Mr. Speaker | Haynes (Franklin) | McClendon | Mitchell |
| Adams (Dale) | Haynes (Lowndes) | Malone | Nelson |
| Bennett | Head | Martin | Robinson |
| Buckner | Howell | Mathison | Thompson (Crenshaw) |
| Denton | Larkins | Merrill | Wallace |
| Ganey | Leonard | Miller | |
| Garrett | | | |

—24

ADJOURNMENT

On motion of Mr. Crocker, the House, in accordance with S.J.R. 22 heretofore adopted, adjourned until 9 o'clock A.M., Thursday, July 3, 1947.

TWELFTH DAY

House of Representatives
Montgomery, Alabama
Thursday, July 3, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Rev. Clyde Spear, pastor of Goode Street Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-----------------|---------|-------------------|
| Mr. Speaker | Busby | Dumas | Harrison |
| Adams (Dale) | Bush | Dyar | Haynes (Franklin) |
| Adams (Jefferson) | Callahan | Evans | Haynes (Lowndes) |
| Barnett | Cobb | Faulk | Head |
| Beatty | Coburn | Frasier | Hornsby |
| Benford | Cox | Ganey | Howell |
| Bennett | Crocker | Garrett | Ingalls |
| Black | Davis | George | Inzer |
| Brannan | Denton | Gibson | Johnston |
| Brassell | Dobbs (Elmore) | Gillis | Kaul |
| Broadwater | Dobbs (Fayette) | Givhan | Knight |
| Brown | Doughty | Hankins | Larkins |
| Buckner | Duffee | Harris | Leonard |

| | | | |
|-----------|------------|------------------|-------------------|
| Loveland | Molette | Sellers | Thompson |
| McClendon | Nelson | Shelton | son (Crenshaw) |
| McDanel | Nettles | Shirley | Thompson (Pike) |
| McDonald | Norman | Sightler | Tucker |
| McGowin | O'Neal | Snodgrass | Vann |
| McIlwain | Pinkston | Stewart | Wallace |
| Malone | Pinson | Still | Ward |
| Martin | Pruitt | Stone | Weaver |
| Mason | Ramey | Sullivan | Whitcomb |
| Mathison | Richardson | Taylor (Autauga) | White (Covington) |
| Meeks | Roberts | Taylor (Hale) | White (Perry) |
| Merrill | Robinson | Thagard | Wood (Bibb) |
| Miller | Rogers | Thomas | Wood (Washington) |
| Mitchell | Sadler | | |

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on rules begs leave to report that it has carefully examined the Journal of the House for the eleventh legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the eleventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the eleventh legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 151. To amend Sections 95, 96, and 278 and to repeal Section 279 of Title 22 of the 1940 Code of Alabama.

J. E. Speight,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that said Committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to wit:

By Mr. Garrett:

H. 315. To provide that any sheriff of the State of Alabama, except in all counties having a population according to the last or any subsequent Federal census, or more than 100,000 population, shall in certain cases, be entitled to a sum equivalent to 10 cents per mile, to be taxed as costs, for executing a writ of arrest, or like process, issued by any court of competent jurisdiction of Alabama; and to provide for the payment of said claim.

W. M. Beck,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 73. To amend Section 90, Article 2, Chapter 3, Title 36, Code of Alabama of 1940.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Fite:

S. 102. To amend Sections 4 and 9 of Act 211, approved July 7, 1945, which gives the State Board of Health and hospital associations authority to plan, acquire, construct, equip, maintain, and supervise hospitals, health centers, and related facilities for the treatment of disease; redefining the duties and terms of the advisory council to the State Board of Health and prescribing qualifications of directors of hospital associations.

Also:

By Messrs. Lowe, Allen, Boutwell and Henderson:

S. 89. To repeal Section 5 of the Act entitled "An Act, To provide for the examination and audit by the Division of Examiners of Public Accounts of State of Alabama offices, bureaus, boards, commissions, agencies, institutions, and departments and county offices; to require the Division to prescribe and enforce uniform accounting and reporting systems for such State offices; bureaus, institutions, boards, commissions, agencies and depart-

ments and county offices; and to appropriate such a sum as may be necessary to carry out the provisions of the act and the expenses incurred thereunder.", approved June 29, 1945.

Also:

By Messrs. Fite, Kimbrell, Coleman and Cater:

S. 66. To provide for the auditing periodically the books, accounts, vouchers, and records of public officers, agencies, and institutions: creating a Department of Examiners of Public Accounts and a supervisory Legislative Committee on Public Accounts; abolishing the Division of Examiners of Public Accounts of the Department of Finance and transferring its functions, funds, books, records, furniture, fixtures, supplies, equipment, and personnel; and prescribing penalties for violations of this act.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 102. Health

S. 89. Judiciary

S. 66. Judiciary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House bill and returns same herewith to the House:

H. 330. To authorize the county governing body of any county having a population of not less than 32,000 and not more than 42,000 inhabitants and two courthouses to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Wallace, the House concurred in and adopted the Senate amendment to the bill, H. 330, said Senate amendment being as follows:

Substitute for House Bill 330:

A BILL TO BE ENTITLED AN ACT

To authorize the county governing body of any county having a population of not less than 32,000 and not more than 42,000 inhabitants according to the 1940 census, and two courthouses to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

Be It Enacted by the Legislature of Alabama:

• Section 1. In all counties having populations of not less than thirty-two thousand (32,000) and not more than forty-two thousand (42,000) inhabitants, according to the 1940 census, the county governing body may, if there are two courthouses within the county, provide for paying out of the general fund of the county the salary of a deputy sheriff in addition to the chief deputy authorized by law; provided, however, such salary shall not be in excess of one thousand eight hundred dollars (\$1,800) per annum.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Doughty | Howell | Ramey |
| Adams (Dale) | Duffee | Ingalls | Richardson |
| Adams (Jefferson) | Dumas | Johnston | Roberts |
| Barnett | Dyar | Knight | Robinson |
| Beatty | Evans | Larkins | Sadler |
| Benford | Frasier | Leonard | Shelton |
| Bennett | Ganey | Lovelace | Sightler |
| Brannan | Gibson | McDanal | Snodgrass |
| Brassell | Gillis | McDonald | Stone |
| Broadwater | Givhan | McGowin | Sullivan |
| Buckner | Hankins | McIlwain | Taylor (Autauga) |
| Busby | Harris | Malone | Taylor (Hale) |
| Bush | Harrison | Martin | Thomas |
| Callahan | Haynes (Franklin) | Mathison | Thomp- |
| Cobb | Haynes (Lowndes) | Merrill | son (Crenshaw) |
| Coburn | Head | O'Neal | Wallace |
| Crocker | Hornsby | Pinson | White (Covington) |
| Dobbs (Elmore) | | | |

—68

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Roberts:

H. 508: To authorize the incorporation with respect to the several cities and towns in this state of public corporations for the purpose of owning and operating and contracting with others for the operation of athletic and recreational facilities; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporations, including the power of eminent domain and the power to issue revenue bonds and negotiable notes and to make mortgages as security for any thereof; to provide that any revenue bonds issued by such corporations shall be payable solely from the revenues derived from any such properties owned by them; to authorize the refunding of any such bonds; to provide that all bonds of such corporations shall be negotiable instruments; to provide that no such mortgages may be foreclosed but to authorize the appointment of receivers upon default therein; to exempt from taxation such corporations and their properties and income and their bonds and the income therefrom; to provide that such municipalities shall not be liable for any obligations or agreements of such corporations; to authorize the municipalities with respect to which such corporations are organized to convey to such corporations any properties of such municipalities acquired or used for like athletic and recreational purposes; to authorize such corporations and municipalities to contract with each other respecting any properties so conveyed; to provide that upon payment of all their bonds such corporations shall be dissolved and title to their properties shall vest in the municipalities with respect to which they are organized; to provide for the filing of the certificates of incorporation, of deeds to such corporations and of their mortgages and certificates of dissolution without the payment of any taxes; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

By Mr. Callahan:

H. 532. To further regulate, define, and fix the duties of the members of the commission board in all cities of this State which have a population exceeding 26,000 inhabitants and not exceeding 36,000 inhabitants according to the latest Federal Decennial Census or which shall hereafter have such number of inhabitants according to any such subsequent Federal Census that may be taken hereafter; and which operates under a Commission board and whose commissioners do not serve on a full-time basis; and to regulate and fix the salaries of such commissioners and provide for the payment of the same; and to provide an effective date for this act; and to repeal all laws and parts of laws, local, special or general in conflict herewith.

By Mr. Cox:

H. 535. To authorize Courts of County Commissioners, Boards of Revenue, or other like governing bodies of all Counties

to purchase war surplus materials, goods, wares, merchandise, machinery, tools or supplies that may be needful, useful or necessary in the construction, erection or maintenance of public roads and bridges, from the War Assets Administration, or from any other governmental agency of the United States or any person, firm, or corporation selling or disposing of said war surplus material without advertising or receiving competitive bids.

By Mr. Langan:

S. 103. To authorize counties and municipalities to insure their employees against personal injury or death caused by accident or violence while discharging their duties as such employees.

By Mr. Howle:

S. 95. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

By Mr. Buckner:

H. 534. To amend Section 188 of Title 37 of the 1940 Code of Alabama, which relates to the mode of consolidating contiguous municipalities.

Mr. Kaul, Vice-Chairman of the Standing Committee on Conservation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. McDanal:

H. 452. To provide for the training of bird dogs by licensed dog trainers or any licensed hunter who desires to train his own dog during the closed hunting season. To specify the dates during which such training may be permitted. To specify the methods by which bird dogs may be trained during said season. To provide for the holding of field trials during the closed hunting season. To provide the methods by which such field trials may be held. To provide for penalty for the violation of this Act. To repeal all laws or parts of laws in conflict herewith and to provide for the time which this Act shall become effective and for other purposes.

By Messrs. Norman and McIlwain:

H. 489. To Amend Section 69 of Title 8 of the Code of Alabama of 1940.

By Mr. McDanal:

H. 453. To regulate the buying, selling, handling or shipping of fresh water non-game fish. To provide that persons, firms, or corporations engaged in the business of buying, selling, handling, or shipping fresh water non-game fish shall be considered wholesale dealers and to require wholesale dealers to pay a license for engaging in such business. To provide for the issuance of such licenses. To define who is a retail dealer in fresh water non-game

fish and to provide a license for dealing in such fish at retail. To provide for the issuance of such licenses. To provide for the disposition of the revenue to be derived from such licenses. To provide for a penalty for the violation of any of the provisions of this Act. To repeal all laws in conflict herewith. To provide when this Act shall become effective, and other purposes.

By Mr. McDanal:

H. 454. To amend Section 86 of Title 8 of the Code of Alabama of 1940.

By Messrs. Stone, Johnston, and Sullivan:

H. 103. To repeal Section 74, Title 8, The Alabama Code of 1940.

Mr. Kaul, Vice-Chairman of the Standing Committee on Conservation, reported that said committee in session had acted on the following bills and ordered same returned to the House without recommendation:

By Messrs. Adams (Dale), Malone, Mitchell, McIlwain, Thompson (Crenshaw) (without recommendation):

H. 460. To provide a license for fishing with hook and line, trotline, snagline, or setline. To provide for the issuance of said licenses and to whom issued. To define a resident and a non-resident of the State of Alabama. To provide for the disposition of the revenue to be derived from the sale of said licenses. To provide for penalties for violation of the provisions of this Act and for other purposes. To repeal all laws in conflict herewith and to provide when this Act shall become effective.

By Mr. Russell (without recommendation):

S. 181. To repeal Act 263, approved July 7, 1945, which provides for and regulates the use of commercial fishing gear in certain public fresh waters of the State.

Mr. Kaul, Vice-Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following Bill and ordered same returned to the House with a favorable report with amendment:

By Mr. McDanal (with amendment):

H. 450. To Amend Section 13 of Title 8 of the Code of Alabama of 1940.

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Boutwell:

S. 223. To amend section 3 of the act establishing the Intermediate Civil Court of Birmingham, approved September 7, 1935 (Local Acts of Alabama, page 219).

By Mr. Gaither:

S. 224. To repeal an Act providing for the payment of salaries of the members of the Court of County Commissioners of Cleburne County, Alabama, Approved Feb. 24, 1937.

By Messrs. Barnett and Rogers:

H. 557. To amend Section 1 of an act approved May 20, 1943, entitled "An Act to allow the Sheriff of Lauderdale County, Alabama, an additional Deputy Sheriff to that provided by law; to fix the salary of said Deputy and to make the same payable out of the general funds of Lauderdale County, Alabama, in monthly installments."

By Messrs. Barnett and Rogers:

H. 558. To authorize the Court of County Commissioners of Lauderdale County, Alabama, to expend moneys from the general fund of the County for the purpose of holding referendum elections.

By Messrs. Stone, Sullivan, and Johnston:

H. 559. To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 140,000 and less than 400,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and costs of court for the performance of the duties authorized by this act.

By Mr. Inzer:

H. 564. To repeal Act 259, approved June 28, 1945, entitled "An Act To authorize and empower the Court of County Commissioners of St. Clair County, Alabama, to expend County funds not exceeding \$5,000.00 per annum for purposes not otherwise provided for by law."

By Mr. Buckner:

H. 568. To promote and improve in Cullman County, Alabama, the enforcement of the criminal laws of the State of Alabama, by requiring the County Solicitor of Cullman County to represent the State of Alabama in all misdemeanor cases before any Magistrate of Cullman County, having county wide criminal jurisdiction, to fix his compensation for the performance of such

additional duties and provide the mode of making claim, fixing the status of such claim and the manner of payment of such compensation.

By Mr. Pruitt:

H. 571. Relating to Sumter County; creating a Board of Commissioners of Sumter County in lieu of the Board of Revenue, which is hereby abolished; prescribing the election, terms of office, qualifications, and powers of the members of the Board of Commissioners; defining and regulating the jurisdiction, powers, and duties of the Board of Commissioners in general and in respect to the construction and maintenance of roads and bridges; and the acquisition of personal property.

By Messrs. Tucker and Gillis:

H. 572. To create and establish an inferior court in Clarke County, Alabama to be known as the Inferior Court of Clarke County; to define its jurisdiction; to fix its terms; to provide for its officers; to define their powers, duties and authority; to fix their compensation; and to provide for the rules of procedure and the operation of said court.

By Messrs. Tucker and Gillis:

H. 573. To abolish the county court in Clarke County, Alabama; to provide for the transfer of all causes pending in said court to the inferior court of Clarke County; and to provide for the disposition of all unsatisfied judgments, executions, and forfeitures in said court.

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wallace:

H. 581. To amend Section 14 of Title 9 of the 1940 Code, which relates to pawnbrokers and pawns.

Business and Labor.

By Mr. Wallace:

H. 582. To exempt homesteads of persons who have served honorably sixty days or more in the armed forces of the United States between September 16, 1940 and the termination of World War II, from all ad valorem taxes for the tax years beginning October 1, of each of the years 1947, 1948 and 1949; to define a homestead; and to provide for claiming the said exemption.

Ways and Means.

By Mr. Wallace:

H. 583. To regulate interest rates and other charges of pawn-brokers and to provide penalties for violations of the Act.

Business and Labor.

By Mr. Coburn (with notice and proof):

H. 584. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Colbert County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Local Legislation.

Notice and Proof H. 584:

The following bill or in substance thereof will be introduced in the 1947 Session of the Legislature of Alabama:

A BILL
TO BE ENTITLED
AN ACT

Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Colbert County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This Act shall apply in, and only in, Colbert County; it does not alter or repeal any statute, but is in addition to and cumulative of laws now in effect.

Section 2. (A) As used in this Act, unless the context requires a different meaning: "person" includes a firm, corporation, club, partnership, company, trustee, agency, or association, or any agent, servant, employee, or officer thereof; "seller" means a person who is engaged in the business of selling, distributing, delivering, storing, or taking out of storage, malt or brewed beverages within the county; "malt or brewed beverages" includes beer, lager beer, ale, porter or similar fermented malt liquor containing one-half of one per centum or more of alcohol by volume.

(B) The rule of construction and interpretation of statutes contained in Title 1 of the 1940 Code shall apply in the construction and interpretation of this Act.

Section 3. Each seller of malt or brewed beverages shall pay a license tax to the county in an amount equal to two cents on each twelve fluid ounces or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, stored, or taken out of storage within the county, unless an exemption is secured as provided by Section 6. The tax shall be in addition to all other taxes and licenses imposed by law.

Section 4. Each seller, except a seller who claims and obtains exemption under the provisions of Section 6, shall, on or before the fifteenth day of each month, file with the probate judge and the license inspector of the county, on forms to be prescribed and furnished by the probate judge, a written statement, sworn to and subscribed by him, which shall show: 1) the name and address of the seller; 2) each purchase or receipt of malt or brewed beverages made by him

during the calendar month next preceding; 3) the name and address of the distributor, seller, or other person from whom purchased, received, or procured; 4) the brands purchased or received; 5) the quantity of each brand; 6) the size and kind of containers of each brand; 7) the date or dates on which purchased, received, or procured; 8) the name and address of each distributor, seller, or other person to whom any malt or brewed beverages were sold, distributed, or delivered; 9) the quantity of each brand sold, distributed, or delivered to each; 10) the size and kind of containers of each brand; 11) the date or dates on which sold, distributed, or delivered.

Section 5. The license tax imposed by Section 3 shall be paid on or before the fifteenth day of each calendar month. The amount due shall be based on the sale, distribution, delivery, storage, and taking out of storage of malt or brewed beverages during the preceding calendar month.

Section 6. A seller purchasing malt or brewed beverages from any other seller who has paid the license tax imposed thereon by Section 3 is exempt from paying the tax upon his application to the probate judge. The application for exemption from the payment of the tax shall be made by the seller on or before the fifteenth day of each calendar month. The application, verified by the oath of the seller, shall show: 1) the name and address of the applicant; 2) each purchase, receipt, or procurement of malt or brewed beverages made during the calendar month next preceding; 3) the name and address of the distributor, seller, or other person from whom purchased, received, or procured; 4) the brand of the malt or brewed beverages; 5) the quantity of each brand; 6) the size and kind of containers of each brand; 7) the date or dates on which purchased, received, or procured; and 8) the disposition thereof by the seller claiming the exemption.

Section 7. It is unlawful for any agent, servant, or employee of any seller who is delinquent in the payment of the license tax required by this Act to assist or carry on the business of the seller. Each day the agent, servant, or employee of a delinquent seller engages in or assists in carrying on such business shall constitute a separate offense.

Section 8. (A) Each seller shall keep complete records of all purchases, sales, receipts, inventories, and all other matters necessary to determine the correct amount of license tax for which he is liable. In the event a seller discontinues his business, he shall not dispose of his records without giving the probate judge and the license inspector thirty days' notice in writing.

(B) The seller's records, books of accounts, bank deposit books, and bank statements shall be open, during reasonable hours at the place of business of the seller, for inspection and examination by the probate judge, or his agent, and the license inspector.

(C) In the event the amount of tax due by the seller cannot be accurately determined from the seller's monthly report, or if the seller does not keep adequate records, or if he refuses to allow an examination of his records, the amount of tax due may be determined from any other information or data available, and the amount of the tax so determined shall be assessed against the seller. Notice of such assessment shall be given to the seller and a demand made for immediate payment.

(D) No person shall divulge any information obtained by him in the course of an inspection and examination of the records of any seller, except to a person duly authorized by the county or municipal governing body, the judge of probate, the county attorney, the license inspector, or others connected with the administration of this Act, unless he is required to do so by an order of a competent court.

Section 9. The license tax imposed by this Act shall be paid to the probate judge, and the proceeds shall be distributed by him as follows: two-fifths to the Hospital fund of the County; one-fifth to the County Board of Education for the benefit of the public schools outside of the cities of Sheffield and Tuscumbia; one-tenth to the Tuscumbia Board of Education for the benefit of the public schools of the City of Tuscumbia; one-tenth to the Sheffield Board of Education for the benefit of the public schools of the City of Sheffield; and one-fifth

to the general fund of the county. For such services, the Probate Judge shall be entitled to commissions of two and one-half per cent (2½%) of all taxes collected.

Section 10. A person who violates the provisions of this Act is guilty of a misdemeanor; and each day his violation continues shall constitute a separate offense.

Section 11. No seller shall continue in business when he is in default in the payment of the tax imposed by this Act. In addition to other penalties, a delinquent taxpayer shall be liable for a penalty of twenty per cent of the amount found to be due by him. Penalties shall be paid into the general fund of the county.

Section 12. This Act shall not apply to acts or transactions in interstate commerce; nor shall any provision hereof apply to any business conducted by or for the United States or any other government.

Section 13. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid or inoperative, the remainder of the Act and the application thereof to any other person or circumstance shall not be affected thereby.

Section 14. This Act shall become effective upon its passage.

May 30-June 6-13-20c

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
COLBERT COUNTY.

I, J. L. MEEKS, Jr., Publisher of the Standard & Times, a newspaper published in Sheffield, Colbert County, Alabama, and with a general circulation in Colbert County, Alabama, and having been mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached, hereby make affidavit that the advertising of:

A BILL TO BE ENTITLED AN ACT

Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Colbert County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Was published in the Standard & Times on the days and dates and in the amount of space as here given as follows:

May 30th, June 6th, 13th and 20th, 1947, a true copy and correct copy of which is herewith attached as clipped from said paper, Sheffield, Ala., June 27th, 1947.

J. L. Meeks, Jr.

Publisher of the Standard & Times

Sworn to before me this 27th day of June, 1947.

Sue H. Jackson,
Notary Public.

(SEAL)

My Commission expires February 17, 1948.

By Mr. Howell:

H. 585. Proposing an amendment to Section 178 of the Constitution of Alabama relative to the poll tax and ordering an election thereon.

The above and foregoing bill, H. 585, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. White (Covington) (with notice and proof):

H. 586. To provide for advance payment out of the fine and forfeiture fund of Covington County, Alabama, after registration, of certain officers' claims and witness certificates for attendance before the grand jury and the Circuit Court of Covington county; to provide for the reimbursement of said fund when the Clerk of the Circuit Court receives payment of such paid claims and certificates; and to prescribe the duties of the Clerk of the Circuit Court and of the custodian of the fine and forfeiture fund with respect to the payments herein authorized.

Local Legislation.

Notice and Proof H. 586:

NOTICE

A Local bill will be introduced at the session of the Legislature of Alabama reconvening in June, 1947. The bill to be introduced reads as follows:

"Section 1. WITNESS ATTENDANCE CERTIFICATES: That all witness attendance certificates hereafter issued for attendance before the Circuit Court of Covington County, Alabama, and before the grand jury of said county, which are lawfully payable under the general laws of Alabama out of the fine and forfeiture fund of which are lawful charges against the State Convict fund shall be paid immediately on registration as provided by law applicable to Covington county; provided, however that such payment shall be limited as hereinafter appears.

"Section 2. OFFICERS' CLAIMS: That all officers' claims against the fine and forfeiture fund of Covington county for services hereafter performed in cases in the Circuit Court and for the grand jury and authorized to be paid under the general laws of Alabama from said fund or from the State Convict fund shall be paid therefrom immediately after the performance of the duties which support the claim and after registration as provided by law, but such payments shall also be limited as hereinafter provided.

"Section 3. DUTY OF THE CUSTODIAN AND THE CIRCUIT CLERK: That it shall be the duty of the treasurer or custodian of the fine and forfeiture fund to keep the Circuit Clerk informed as to all of such payments herein authorized, and it shall be the duty of the Circuit Clerk to ascertain all such payments, to the end that the fine and forfeiture fund may be reimbursed as hereinafter provided.

"Section 4. REIMBURSEMENT: When the Circuit Clerk shall have received from the State of Alabama, or otherwise, payment in whole or part of such paid witness certificates and officers' claims, he shall pay to the treasurer or lawful custodian of such fine and forfeiture fund the amount so received, to the end that said fund may be reimbursed in whole or in part for such anticipated payments.

"Section 5. PAYMENTS LIMITED: Provided, however, that payment herein authorized shall not be made when the balance in said fine and forfeiture fund shall have reached \$2000.00 or below, or if a presented or registered claim will reduce the said fund to \$2000.00 or below, and in such event this act shall become inoperative until such time as the balance shall exceed the sum of \$2000.00.

"Section 6. INVALID PROVISIONS HEREOF: If any section or provision hereof shall be declared unconstitutional, such invalidity shall not affect or impair the remaining valid provisions.

"Section 7. EFFECTIVE DATE: This act shall become effective immediately on its passage and approval as required by law.

May 29 June 5 12 19 ch

PROOF OF PUBLICATION

STATE OF ALABAMA
COVINGTON COUNTY

Personally appeared before me the undersigned authority, W. F. Locke of The Andalusia Star, who being duly sworn, says that the attached notice appeared in four successive issues of the Andalusia Star, a weekly newspaper published in said county of Covington, State of Alabama, on the following dates: May 29, June 5, 12, and 19, all in the year 1947. Affiant is the publisher. This the 30th day of June, 1947.

Sworn to and subscribed before me on this the 30th day of June, 1947.
W. F. Locke,
M. E. Harmon,
Notary Public.

By Messrs. Sadler, Meeks, Adams (Jefferson):

H. 587. To regulate tourist camps, motor courts, and motels in counties having a population of more than four hundred thousand inhabitants and to provide penalties for the violation of the Act.

Local Legislation.

By Mr. Ingalls:

H. 588. To amend Section 13 of Title 3 of the Code of 1940 which relates to employment of County Officer to enforce laws as to cruelty to animals and children; duties, oaths and compensation.

Local Government.

By Mr. Adams (Jefferson):

H. 589. To Amend Section 38 of Title 8 of the Code of Alabama of 1940.

Conservation.

By Mr. Adams (Jefferson):

H. 590. To Amend Section 31 of Title 8 of the Code of Alabama of 1940. To Repeal Section 30 of Title 8 of the Code of Alabama of 1940.

Conservation.

BILLS ON THIRD READING

S. 203. To authorize the Board of Revenue of Barbour County to appropriate funds for the purchase of soil conservation machinery and equipment for use by residents of the county in conserving soil resources and controlling and preventing soil erosion.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | George | McDanal | Roberts |
| Adams (Dale) | Gibson | McDonald | Robinson |
| Adams (Jefferson) | Gillis | McGowin | Rogers |
| Barnett | Givhan | McIlwain | Sadler |
| Broadwater | Hankins | Malone | Sellers |
| Busby | Harrison | Martin | Shelton |
| Callahan | Haynes (Franklin) | Mason | Snodgrass |
| Coburn | Haynes (Lowndes) | Mathison | Stone |
| Crocker | Hornsby | Meeks | Taylor (Autauga) |
| Dobbs (Elmore) | Howell | Merrill | Taylor (Hale) |
| Dobbs (Fayette) | Ingalls | Mitchell | Thomas |
| Doughty | Johnston | Norman | Thomp- |
| Dumas | Knight | O'Neal | son (Crenshaw) |
| Evans | Larkins | Pinkston | Thompson (Pike) |
| Faulk | Leonard | Pinson | Tucker |
| Frasier | Lovelace | Ramey | Wallace |
| Ganey | McClendon | Richardson | White (Covington) |
| Garrett | | | |

—68

And the bill:

H. 524. To allow the Sheriff of Lowndes County, Alabama, a deputy Sheriff in addition to the one now provided by law; to fix the salary of said deputy, and, to make the same payable out of the General Funds of Lowndes County, Alabama, in monthly installments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Doughty | Larkins | Roberts |
| Adams (Dale) | Dumas | Leonard | Robinson |
| Adams (Jefferson) | Frasier | Lovelace | Rogers |
| Barnett | Ganey | McClendon | Shelton |
| Benford | Garrett | McDanal | Shirley |
| Bennett | George | McDonald | Sightler |
| Brannan | Gibson | McGowin | Snodgrass |
| Brasseil | Givhan | McIlwain | Taylor (Autauga) |
| Broadwater | Hankins | Malone | Thomp- |
| Buckner | Harrison | Mathison | son (Crenshaw) |
| Callahan | Haynes (Franklin) | Mitchell | Thompson (Pike) |
| Cobb | Haynes (Lowndes) | Molette | Wallace |
| Coburn | Hornsby | Nelson | Whitcomb |
| Crocker | Howell | Nettles | White (Covington) |
| Davis | Ingalls | Norman | White (Perry) |
| Denton | Johnston | Pinkston | Wood (Bibb) |
| Dobbs (Elmore) | Knight | Richardson | Wood (Washington) |
| Dobbs (Fayette) | | | |

—68

And the bill:

S. 7. To amend Section 72 of Title 18, Code of Alabama 1940. Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|---------------------|
| Mr. Speaker | Doughty | Johnston | Richardson |
| Adams (Dale) | Duffee | Larkins | Roberts |
| Adams (Jefferson) | Dumas | Leonard | Robinson |
| Barnett | Evans | McClendon | Rogers |
| Benford | Faulk | McDanal | Sightler |
| Bennett | Frasier | McDonald | Snodgrass |
| Brannan | Ganey | McGowin | Stewart |
| Brassell | Garrett | McIlwain | Taylor (Autauga) |
| Broadwater | Gibson | Malone | Thompson (Crenshaw) |
| Buckner | Gillis | Mathison | Thompson (Pike) |
| Busby | Givhan | Merrill | Tucker |
| Callahan | Hankins | Mitchell | Vann |
| Coburn | Harrison | Molette | Wallace |
| Crocker | Haynes (Franklin) | Nelson | White (Covington) |
| Davis | Haynes (Lowndes) | Nettles | White (Perry) |
| Denton | Hornsby | Pinkston | Wood (Washington) |
| Dobbs (Elmore) | Ingalls | Ramey | |
| Dobbs (Fayette) | | | |

—68

And the bill:

H. 479. For the relief of Mrs. Clifford Horn, of Bayou La Batre, Mobile County, Alabama, and to authorize the Board of Revenue and Road Commissioners of Mobile County, Alabama, to compensate the said Mrs. Clifford Horn for damages suffered by her when she was permanently injured as a result of her automobile falling into a washed out bridge between Bayou La Batre and Grand Bay, both in Mobile County, Alabama, on the night of, to-wit, March 29th, 1946, breaking her leg, bruising her knee and left leg, lacerating her hip and chin, and causing her to be put to great expense in and about her treatment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Ganey | McGowin | Sadler |
| Adams (Dale) | Garrett | McIlwain | Shelton |
| Adams (Jefferson) | Gibson | Malone | Sightler |
| Barnett | Gillis | Martin | Snodgrass |
| Beatty | Hankins | Mathison | Stone |
| Benford | Haynes (Franklin) | Merrill | Sullivan |
| Bennett | Haynes (Lowndes) | Miller | Taylor (Autauga) |
| Broadwater | Hornsby | Mitchell | Taylor (Hale) |
| Buckner | Ingalls | Molette | Thompson (Crenshaw) |
| Busby | Johnston | Nelson | Thompson (Pike) |
| Callahan | Knight | Norman | Wallace |
| Coburn | Larkins | Pinkston | Whitcomb |
| Crocker | Leonard | Ramey | White (Covington) |
| Dobbs (Elmore) | Lovelace | Richardson | White (Perry) |
| Dobbs (Fayette) | McClendon | Roberts | Wood (Bibb) |
| Doughty | McDanal | Robinson | Wood (Washington) |
| Dumas | McDonald | Rogers | |
| Frasier | | | |

—68

And the bill:

H. 513. To Alter and Extend the Boundaries of the City of Birmingham, to Provide for an Election to Submit to the Qualified Voters of the Territory to be Annexed to said City of Birmingham for their approval or rejection of such Alterations and Extension.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Dumas | Lovelace | Richardson |
| Adams (Dale) | Frasier | McClendon | Roberts |
| Adams (Jefferson) | Ganey | McDanal | Robinson |
| Barnett | Garrett | McDonald | Rogers |
| Beatty | George | McGowin | Sadler |
| Benford | Gibson | McIlwain | Shelton |
| Bennett | Gillis | Malone | Snodgrass |
| Brassell | Givhan | Martin | Taylor (Autauga) |
| Broadwater | Harrison | Mason | Taylor (Hale) |
| Busby | Haynes (Franklin) | Mathison | Thomp- |
| Callahan | Haynes (Lowndes) | Meeks | son (Crenshaw) |
| Cobb | Hornsby | Merrill | Thompson (Pike) |
| Coburn | Johnston | Miller | Wallace |
| Denton | Kaul | Mitchell | White (Covington) |
| Dobbs (Elmore) | Knight | Molette | White (Perry) |
| Dobbs (Fayette) | Larkins | Pinkston | Wood (Bibb) |
| Doughty | Leonard | Ramey | Wood (Washington) |
| Duffee | | | |

—68

And the bill:

H. 514. For the relief of Ruth E. Pugh and to authorize and direct the City of Birmingham to pay to said Ruth E. Pugh \$2,500 for injuries received when she was struck by a City of Birmingham fire truck.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------------|------------|
| Mr. Speaker | Dobbs (Fayette) | Haynes (Lowndes) | Malone |
| Adams (Dale) | Doughty | Hornsby | Mathison |
| Adams (Jefferson) | Duffee | Ingalls | Meeks |
| Beatty | Dumas | Johnston | Merrill |
| Benford | Frasier | Kaul | Mitchell |
| Bennett | Ganey | Knight | Molette |
| Brannan | Garrett | Larkins | Nelson |
| Broadwater | George | Leonard | Nettlec |
| Buckner | Gibson | Lovelace | Pinkston |
| Busby | Gillis | McClendon | Ramey |
| Callahan | Givhan | McDanal | Richardson |
| Coburn | Hankins | McDonald | Roberts |
| Crocker | Harrison | McGowin | Robinson |
| Dobbs (Elmore) | Haynes (Franklin) | McIlwain | Rogers |

| | | | |
|-----------|------------------|----------------|-------------------|
| Sadler | Stewart | Thagard | Thompson (Pike) |
| Sellers | Taylor (Autauga) | Thomp- | White (Covington) |
| Sightler | Taylor (Hale) | son (Crenshaw) | Wood (Washington) |
| Snodgrass | | | —68 |

And the bill:

H. 516. For the relief of Luther L. Donaldson, in the sum of \$300.00, covering actual loss and expense sustained by him as a proximate consequence of the negligence of an agent, servant or employee of Jefferson County, Alabama, while acting within the line and scope of his employment, in negligently driving a tractor into Luther L. Donaldson's minor son, Luther Tolson Donaldson, also into the automobile of Luther L. Donaldson on, to-wit, July 12, 1945, in Jefferson County, Alabama, about one mile west of Price's store, on the Glenwood Road between Morris and Crosston, said sum covering actual damages to Luther L. Donaldson's said automobile, and actual expenses sustained by him as a proximate consequence of medical expenses to his said minor son, as afore-said, loss of time from his work as a proximate consequence thereof, and damages to his said automobile.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Gibson | McIlwain | Snodgrass |
| Adams (Dale) | Gillis | Mathison | Sullivan |
| Adams (Jefferson) | Givhan | Meeks | Taylor (Autauga) |
| Barnett | Hankins | Mitchell | Taylor (Hale) |
| Beatty | Haynes (Franklin) | Molette | Thagard |
| Brannan | Haynes (Lowndes) | Nettles | Thomas |
| Brassell | Hornshy | Pinkston | Thomp- |
| Broadwater | Howell | Ramey | son (Crenshaw) |
| Buckner | Ingalls | Richardson | Thompson (Pike) |
| Callahan | Johnston | Roberts | Wallace |
| Crocker | Kaul | Robinson | Ward |
| Dobbs (Elmore) | Knight | Rogers | Weaver |
| Dobbs (Fayette) | Lovelace | Sadler | Whitcomb |
| Doughty | McClendon | Sellers | White (Covington) |
| Duffee | McDanal | Shelton | White (Perry) |
| Dumas | McDonald | Shirley | Wood (Bibb) |
| Garrett | McGowin | Sightler | Wood (Washington) |
| George | | | —68 |

And the bill:

H. 515. For the relief of Luther Tolson Donaldson, a minor twelve years of age, in the sum of \$2,200.00, in that on, to-wit, July 12, 1945, a duly authorized agent, servant, or employee of Jefferson County, Alabama, negligently drove a tractor into the said Luther Tolson Donaldson, a minor twelve years of age, and permanently and painfully injured him, at or near a point, to-wit, one half mile west of Price's Store, on the Glenwood Road, between Morris and Crosston, Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | Lovelace | Shelton |
| Adams (Dale) | Frasier | McClendon | Sightler |
| Adams (Jefferson) | Garrett | McDanal | Snodgrass |
| Beatty | George | McDonald | Stewart |
| Benford | Gibson | McGowin | Sullivan |
| Bennett | Gillis | McIlwain | Taylor (Autauga) |
| Brannan | Givhan | Mathison | Taylor (Hale) |
| Brassell | Hankins | Meeks | Thomp- |
| Broadwater | Harrison | Merrill | son (Crenshaw) |
| Buckner | Haynes (Franklin) | Mitchell | Thompson (Pike) |
| Callahan | Haynes (Lowndes) | Molette | Vann |
| Coburn | Hornsby | Norman | Weaver |
| Crocker | Johnston | Pinkston | Whitcomb |
| Denton | Kaul | Richardson | White (Covington) |
| Dobbs (Elmore) | Knight | Robinson | White (Perry) |
| Dobbs (Fayette) | Larkins | Rogers | Wood (Bibb) |
| Doughty | Leonard | Sadler | Wood (Washington) |
| Duffee | | | |

—68

And the bill:

H. 519. To amend Section 135 of Title 17 of the 1940 Code of Alabama by adding to said section as now composed, a provision reading as follows: In counties having a population of 400,000 or more according to the last or any subsequent federal census, the appointing board may employ, for such length of time and at such compensation as may be fixed by the governing body of the county to be payable out of the treasury of the county, a person to assist the appointing board in assembling the names of good citizens for appointment as inspectors and clerks.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Frasier | Malone | Sightler |
| Adams (Dale) | Gibson | Mathison | Snodgrass |
| Adams (Jefferson) | Gillis | Meeks | Stewart |
| Barnett | Hankins | Mitchell | Sullivan |
| Beatty | Harrison | Molette | Taylor (Autauga) |
| Benford | Haynes (Franklin) | Norman | Taylor (Hale) |
| Bennett | Haynes (Lowndes) | Pinkston | Thagard |
| Brannan | Hornsby | Pinson | Thomas |
| Brassell | Johnston | Ramey | Thomp- |
| Broadwater | Kaul | Richardson | son (Crenshaw) |
| Buckner | Larkins | Roberts | Thompson (Pike) |
| Callahan | Leonard | Robinson | Tucker |
| Coburn | McClendon | Rogers | Wallace |
| Crocker | McDanal | Sadler | White (Covington) |
| Dobbs (Elmore) | McDonald | Sellers | White (Perry) |
| Dobbs (Fayette) | McGowin | Shelton | Wood (Bibb) |
| Doughty | McIlwain | Shirley | Wood (Washington) |
| Dumas | | | |

—68

RESOLUTION

The following resolution was introduced:

By Mr. Head:

H.J.R. 39. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that House Bill 151 be known and designated as the Henderson-Head Bill.

On motion of Mr. Head the rules were suspended and H.J.R. 39 was adopted.

BILLS ON THIRD READING RESUMED

S. 206. To fix the Salary of the Deputy Clerk of the Court of Common Pleas of Montgomery.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dumas | Lovelace | Robinson |
| Adams (Dale) | Frasier | McClendon | Sightler |
| Adams (Jefferson) | Ganey | McDanal | Snodgrass |
| Barnett | Garrett | McDonald | Stewart |
| Benford | George | McGowin | Sullivan |
| Bennett | Gibson | McIlwain | Taylor (Autauga) |
| Brannan | Givhan | Malone | Taylor (Hale) |
| Brassell | Hankins | Mathison | Thagard |
| Broadwater | Harrison | Mitchell | Thompson (Crenshaw) |
| Buckner | Haynes (Franklin) | Molette | Thompson (Pike) |
| Busby | Haynes (Lowndes) | Nelson | Wallace |
| Callahan | Hornsby | Nettles | Whitcomb |
| Coburn | Ingalls | Norman | White (Covington) |
| Crocker | Johnston | Pinkston | White (Perry) |
| Dobbs (Elmore) | Knight | Ramey | Wood (Bibb) |
| Dobbs (Fayette) | Larkins | Richardson | Wood (Washington) |
| Doughty | Leonard | Roberts | |
| Duffee | | | |

—68

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Joint Resolution and sends same herewith to the House for its consideration.

By Mr. Patterson:

S.J.R. 25. BE IT RESOLVED by the Senate of Alabama, the House concurring, that we extend our thanks for the very delicious Alabama peaches served to the Legislature by Hon. W. A. Gullege, Senator from Chilton County and Hon. C. B. Cox, member

of the House from Chilton and to the farmers of Chilton County, their constituents, who furnished the peaches.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell, the rules were suspended and the House concurred in and adopted the S.J.R. 25 set out in the above and foregoing message from the Senate.

ADJOURNMENT

On motion of Mr. Snodgrass, the House, in accordance with S.J.R. 22 heretofore adopted, adjourned until Tuesday, July 8, 1947, at 10 o'clock A.M.

THIRTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 8, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Rev. Edgar E. Weaver, pastor of Lakewood Baptist Church, Birmingham, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-----------------|---------|-------------------|
| Mr. Speaker | Busby | Duffee | Harris |
| Adams (Dale) | Bush | Dumas | Harrison |
| Adams (Jefferson) | Callahan | Dyar | Haynes (Franklin) |
| Barnett | Cobb | Evans | Haynes (Lowndes) |
| Beatty | Coburn | Faulk | Head |
| Benford | Cole | Frasier | Hornsby |
| Bennett | Cox | Ganey | Howell |
| Black | Crocker | Garrett | Ingalls |
| Brannan | Davis | George | Inzer |
| Brassell | Denton | Gibson | Johnston |
| Broadwater | Dobbs (Elmore) | Gillis | Kaul |
| Brown | Dobbs (Fayette) | Givhan | Knight |
| Buckner | Doughty | Hankins | Larkins |

| | | | |
|-----------|------------|------------------|-------------------|
| Leonard | Mitchell | Sadler | Thomp- |
| Lovelace | Molette | Sellers | son (Crenshaw) |
| McClendon | Nelson | Shelton | Thompson (Pike) |
| McDanal | Nettles | Shirley | Tucker |
| McDonald | Norman | Sightler | Vann |
| McGowin | O'Neal | Snodgrass | Wallace |
| McIlwain | Pinkston | Stewart | Ward |
| Malone | Pinson | Still | Weaver |
| Martin | Pruitt | Stone | Whitcomb |
| Mason | Ramey | Sullivan | White (Covington) |
| Mathison | Richardson | Taylor (Autauga) | White (Perry) |
| Meeks | Roberts | Taylor (Hale) | Wood (Bibb) |
| Merrill | Robinson | Thagard | Wood (Washington) |
| Miller | Rogers | Thomas | |

—106

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twelfth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the twelfth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the twelfth legislative day was approved.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 278, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

JULY 2, 1947.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 278, without my approval.

This bill is a local bill applicable to the City of Florence where-

in the boundaries of corporate limits of said City are extended and the amendments which I will hereinbelow suggest are done with the full knowledge, consent and approval of the author of this bill.

I suggest the following amendments to House Bill No. 278:

Amend House Bill No. 278 by striking the word "matter" where the same appears in line 3 of Section 2 of House Bill No. 278, and substituting in lieu thereof the word "manner".

Amend House Bill No. 278 by striking the figures "1947" where the same appear in Section 2 of said House Bill immediately preceding the word "Code", and substitute in lieu thereof the figures "1940".

The adoption of these amendments will remove my objection of this bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

JULY 2, 1947.

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 278, said Governor's amendment being set out in the above and foregoing message from the Governor.

Yeas 65; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Garrett | McDonald | Shelton |
| Adams (Jefferson) | George | McGowin | Shirley |
| Barnett | Gillis | Martin | Sightler |
| Bennett | Hankins | Mason | Snodgrass |
| Black | Harrison | Mathison | Still |
| Brannan | Haynes (Franklin) | Miller | Stone |
| Brassell | Haynes (Lowndes) | Mitchell | Taylor (Hale) |
| Broadwater | Howell | Nelson | Thompson (Pike) |
| Buckner | Johnston | Nettles | Tucker |
| Calahan | Kaul | O'Neal | Vann |
| Cobb | Knight | Ramey | Wallace |
| Cox | Larkins | Richardson | Ward |
| Davis | Leonard | Roberts | Weaver |
| Denton | Lovelace | Robinson | White (Covington) |
| Duffee | McClendon | Rogers | White (Perry) |
| Dyar | McDanal | Sellers | Wood (Bibb) |
| Faulk | | | |

—65

Which was a majority of the whole number elected to the House.

And said bill,

H. 278. To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama,

As amended by the amendment proposed by His Excellency, The Governor, was again read at length and passed.

Yeas 59; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | McDanal | Shirley |
| Adams (Dale) | Dyar | McDonald | Sightler |
| Adams (Jefferson) | Faulk | Martin | Still |
| Barnett | Gillis | Mathison | Stone |
| Bennett | Hankins | Miller | Sullivan |
| Black | Haynes (Franklin) | Mitchell | Taylor (Autauga) |
| Brassell | Haynes (Lowndes) | Nelson | Taylor (Hale) |
| Broadwater | Howell | O'Neal | Thompson (Pike) |
| Brown | Inzer | Ramey | Tucker |
| Buckner | Johnston | Richardson | Vann |
| Callahan | Kaul | Roberts | Wallace |
| Cobb | Larkins | Robinson | Ward |
| Coburn | Leonard | Rogers | Weaver |
| Davis | Lovelace | Sellers | White (Covington) |
| Denton | McClendon | Shelton | —59 |

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To The House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 115, with suggested Executive amendment. Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 2, 1947.

House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this Bill originated, House Bill No. 115, without my approval.

This bill is an amendment to Section 247 of Title 29 of the Code of Alabama of 1940, and the amendment which I will hereinbelow suggest, is done with full knowledge, consent and approval of the author of this bill.

I suggest the following amendment to House Bill No. 115: Amend Section 1 of said bill by changing the word "in", immedi-

ately preceding the word "this" where the same first appears in line 8 of said bill, to the word "into".

The adoption of this amendment will remove my objections to this bill.

Respectfully submitted,

JAMES E. FOLSOM,
Governor.

JULY 2, 1947.

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 115, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 68; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|-------------------|
| Mr. Speaker | Faulk | McClendon | Sellers |
| Adams (Dale) | George | McDanal | Shelton |
| Bennett | Gillis | McDonald | Shirley |
| Black | Hankins | Martin | Sightler |
| Brassell | Harrison | Mason | Still |
| Broadwater | Haynes (Franklin) | Mathison | Sullivan |
| Brown | Haynes (Lowndes) | Meeks | Taylor (Autauga) |
| Buckner | Head | Merrill | Taylor (Hale) |
| Bush | Hornsby | Miller | Thomp- |
| Callahan | Howell | Mitchell | son (Crenshaw) |
| Cobb | Ingalls | Nelson | Tucker |
| Coburn | Inzer | Nettles | Vann |
| Cox | Kaul | O'Neal | Ward |
| Davis | Knicht | Pinkston | Weaver |
| Denton | Larkins | Ramey | White (Covington) |
| Dobbs (Elmore) | Leonard | Richardson | Wood (Bibb) |
| Duffee | Lovelace | Roberts | Wood (Washington) |
| Dyar | | | |

—68

Which was a majority of the whole number elected to the House.

And said bill:

H. 115. To amend section 247 of title 29, of the 1940 code of Alabama, pertaining to the seizure and forfeiture of conveyances and vehicles transporting prohibited liquors and beverages.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 60; Nays 0.

Yeas:

| | | | |
|--------------|------------|----------|----------------|
| Mr. Speaker | Brassell | Bush | Cox |
| Adams (Dale) | Broadwater | Callahan | Davis |
| Bennett | Brown | Cobb | Denton |
| Black | Buckner | Coburn | Dobbs (Elmore) |

| | | | |
|-------------------|-----------|--------------|-------------------|
| Duffee | Howell | Mathison | Sellers |
| Dyar | Ingalls | Merrill | Shelton |
| Faulk | Inzer | Miller | Shirley |
| Gillis | Kaul | Mitchell | Sullivan |
| Hankins | Knight | Nelson | Taylor (Hale) |
| Harris | Larkins | Nettles | Vann |
| Harrison | Leonard | O'Neal | Ward |
| Haynes (Franklin) | McClendon | Pinkston | Weaver |
| Haynes (Lowndes) | McDonald | Ramey | White (Covington) |
| Head | Martin | Richardson | Wood (Bibb) |
| Hornsby | Mason | Roberts | Wood (Washington) |

—60

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 92. To Amend Section 221 of Title 7 of the 1940 Code of Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Stone, the House non-concurred in the Senate amendment to the bill, H. 92, said Senate amendment being as follows:

Substitute for House Bill No. 92:

A BILL TO BE ENTITLED AN ACT

To amend Section 221 of Title 7 of the 1940 Code of Alabama.
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 221 of Title 7 of the 1940 Code of Alabama be amended to read as follows:

"When causes of like nature or relative to the same question are pending before the circuit court in counties having a population of one hundred forty thousand or more according to the last or any future federal census, the court may make such orders and rules concerning proceedings therein as may be conformable to the usages of courts for avoiding unnecessary costs or delay in the administration of justice, and may consolidate said causes when it appears reasonable to do so."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

On motion of Mr. Stone, a Committee of Conference was requested on the disagreement of the two houses on the Senate amendment to the bill, H. 92.

The Speaker of the House named as the Committee of Conference on the part of the House on the disagreement of the two houses on the Senate amendment to the bill, H. 92, Messrs. Stone, Kaul and Sullivan.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 73. To amend Section 90, Article 2, Chapter 3, Title 36, Code of Alabama of 1940.

Also:

H. 151. To amend Sections 95, 96, and 278 and to repeal Section 279 of Title 22 of the 1940 Code of Alabama.

Also:

H. 330. To authorize the county governing body of any county having a population of not less than 32,000 and not more than 42,000 inhabitants according to the 1940 census, and two court-houses to provide compensation for a deputy sheriff in addition to the chief deputy provided by law.

Also:

H.J.R. 11. Relative to Honoring the memory of Jefferson Davis.

Also:

H.J.R. 28. Relative to providing funds for a new SS Alabama to sail to the major ports of Latin America as an educational project to develop additional trade between the industries of Alabama and those Nations.

Also:

H.J.R. 37. Relative to designating House Bill #384 as the Duffee, Sellers, Lamberth Bill.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 39. Relative to naming House Bill 151 the Henderson-Head Bill.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Joint Resolution and sends same herewith to the House for its consideration:

S.J.R. 26. BE IT RESOLVED by the Senate, the House concurring, that Senate Bill 123, which has passed both Houses of the Legislature, be designated and known as the Henderson-White Act.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Tucker the rules were suspended and the House concurred in and adopted S.J.R. 26 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

By Mr. Merrill:

H. 127. To amend Section 414 of Title 17 of the 1940 Code of Alabama, which relates to meetings of political parties for the purpose of nominating candidates for public office and selecting delegates, representatives, and officers, by providing that such

meetings shall be held the first Tuesday in May in even-numbered years.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Cater:

S. 28. To provide for the creation of liens on personal property and accounts receivable by agreement, to secure loans and advances and to provide for the recording of notice of such liens, their application, enforcement and discharge.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 28. Judiciary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Langan:

S. 64. To amend Section 344 of Title 17 of the 1940 Code of Alabama, which relates to the certification of names of candidates for party nominations.

Also:

By Messrs. Cater and Allen:

S. 194. To permit the grantee, heir, or devisee of, or any one claiming title to, property set apart absolutely as a homestead in the Probate Court to cure defects in the title resulting from irregularities in the proceeding setting apart the homestead, and to provide for the procedure thereon.

Also:

By Mr. Patterson:

S. 21. To provide additional supernumerary judges for the State, prescribing their duties and powers, fixing their compensa-

tion and tenure of office, and making an appropriation to pay their salaries.

Also:

By Messrs. Henderson and Owen:

S. 162. To amend Section 89, Article 2, Title 36 of the 1940 Code of Alabama as previously amended by an Act entitled "An Act to Amend Section 89, Article 2, Title 36 of the 1940 Code of Alabama", approved June 17, 1943.

Also:

By Mr. Fite:

S. 230. To propose an amendment to the Constitution of Alabama relating to Marion County; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the general election next succeeding the present session of the Legislature; and to provide for the expenses of holding said election.

Also:

By Mr. Langan:

S. 226. To authorize the Department of State Docks and Terminals of Alabama, with the approval of the Governor, to expand the port facilities of the State of Alabama to meet the present and prospective needs of trade and commerce; to acquire and operate additional properties and facilities; to borrow money and to issue and sell bonds, notes or certificates referred to herein as revenue securities; to provide the purposes for which such money may be borrowed; to provide for the form, tenor, effect, interest rates and maturities and payment of such revenue securities; to provide that such revenue securities shall not constitute indebtedness of the State of Alabama, and shall not pledge the faith or credit of the State of Alabama; to provide that such Revenue Securities may be payable from the gross revenues of the unit or units or facility or facilities in whole or in part acquired with the proceeds of such Revenue Securities and out of the gross revenues of said Department, subject to sinking fund requirements, certain operating expenses and other valid commitments; to provide for and authorize the pledge of such revenues to such revenue securities and to provide for the order of payment and priorities of payment of such revenue securities out of such revenue; to authorize the publication of notice concerning the issuance of such revenue securities and limiting the time within which any action may be brought to set aside or contest the validity of any such revenue securities or any proceeding authorizing same or any contractual obligations incurred in connection therewith; to provide for the acceptance of grants and to contract with reference to such grants; to provide for the funding or refunding of obligations of said department by the issuance of such revenue securities and to provide

the effective date of this Act and repeal all laws and parts of laws in conflict with the Act.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 64. Constitution and Elections

S. 194. Judiciary

S. 21. Ways and Means

S. 162. Transportation

S. 230. The above and foregoing bill, S. 230, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

S. 226. Transportation

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and presiding officer of the Senate having signed the following Senate bills, your signature thereto is requested:

S. 7. To amend Section 72 of Title 18, Code of Alabama 1940.

Also:

S. 156. To authorize circuit judges of judicial circuits composed of one county having but one circuit judge to appoint regular bailiffs and fix their terms of office and salaries.

Also:

S. 182. To authorize, empower and direct the Board of Revenue or other governing body of Tuscaloosa County to supplement the salary of the Circuit Judge of the Sixth Judicial Circuit of Alabama.

Also:

S. 191. To amend Section 3 of an act entitled "An Act to fix the compensation or salary to be paid the Judge of Probate of Etowah County, Alabama, and to regulate the payment of the same; to provide for the compensation of clerks, deputies, clerical assistants and other expenses in the Probate Office of Etowah County, Alabama, and to require said Judge of Probate to collect all the fees, compensation and allowances heretofore or hereafter collected by said Judge of Probate, and to pay same into the County Treas-

ury of Etowah County; to provide for the payment of the salary or compensation of said Judge of Probate and the clerks, deputies and other clerical assistants, and other office expenses, out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Judge of Probate, and to prescribe when this Act shall go into effect." enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 73 and 74, as Local Act No. 137.

Also:

S. 203. To authorize the Board of Revenue of Barbour County to appropriate funds for the purchase of soil conservation machinery and equipment for use by residents of the county in conserving soil resources and controlling and preventing soil erosion.

Also:

S. 206. To fix the Salary of the Deputy Clerk of the Court of Common Pleas of Montgomery.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution your signature thereto is requested:

S.J.R. 23. Relative to: The naming of House Bill No. 396.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and send same herewith to the House:

By Mr. Howle:

S. 10. To amend Sections 107, 110, and 115 of Title 22 of the 1940 Code, which relate to the inoculation of dogs against rabies.

Also:

By Mr. Fite:

S. 216. To require notice of a post dated check to be given the bank upon which it is drawn and to relieve the bank of liability for paying the check through error without notice.

Also:

By Mr. Clayton:

S. 164. To amend Sections 1 and 6 of Act 353, approved July 6, 1945, entitled, "To exempt bona fide permanent residents of Alabama who have served 90 days or more in the armed forces of the United States between September 16, 1940, and the termination of the existing war from certain State, county, and municipal business and occupational license taxation."

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 10. Health

S. 216. Business and Labor

S. 164. Ways and Means

RESOLUTION

The following resolution was introduced:

By Mr. Wallace:

H.R. 40. Be IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that H. 2

To provide for the establishment, maintenance, and operation of regional trade schools
be made a special, paramount and continuing order of business for the House on the next Legislative day, to be taken up directly after the Bills set out in House Resolution 32 are disposed of.

The above and foregoing H.R. 40 was read one time and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 372. Relating to sentences imposed by the Recorder's Court of Birmingham, Alabama; and, without limiting the generality of the foregoing, to provide for the suspension of execution, the execution after suspension, and the remission of, such sentences or any part thereof.

Also:

H. 387. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Lockhart, Covington County, Alabama.

Also:

H. 442. Fixing the Compensation or Salary of the Members of the Court of County Commissioners of Marshall County, Alabama, and requiring that they devote their full time to the duties of their office and to provide for the manner and method of such payment and to provide pickup truck for their use, and to provide when this act shall go into effect.

Also:

H. 472. To provide for the appointment of a deputy clerk of the Circuit Court of Lawrence County, Alabama and to prescribe the duties and fix the compensation of such deputy.

Also:

H. 216. To alter or rearrange the boundaries of the City of Hartselle, Alabama.

Also:

H. 473. To amend Section 3 of Act No. 18, Local Acts of 1898-99, approved December 1, 1898, and to amend Section 5 of said Act, which said Section 5 was amended by an Act approved 6th. day of September, 1927, and further amended by an Act approved October 25, 1932; which said Act establishes a Court of County Revenue for Lawrence County, Alabama, and defines its duties and powers.

Also:

H. 163. To prescribe the method of selecting the superintendent of education for Coffee County, fixing his term of office, providing the payment of his salary, and repealing all conflicting laws.

Also:

H. 484. To prescribe the limit of the Police Jurisdiction of and for the City of Phenix City, Alabama.

Also:

H. 474. To amend Section 1 of an act entitled "An Act to prescribe the salary and manner of payment of the same, of the Chief Deputy Sheriff of Macon County, Alabama," approved June 22, 1943.

Also:

H. 475. To amend Section 1 of an act entitled "An Act to authorize the Board of Revenue of Macon County, Alabama, to provide for an additional Deputy Sheriff; to provide the manner and method of his appointment and to fix his salary and make provisions for payment of same; and prescribe his duties," approved June 22, 1943.

Also:

H. 482. To Alter or rearrange the boundary lines of the City of Phenix City, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

H. 269. To regulate the office of sheriff in counties of 400,000 population or over according to the last Federal census or any subsequent Federal census, to exempt the sheriffs of such counties from court costs; to exempt sheriffs from liability for the acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of sheriffs, and to provide for the payment of the premium on the sheriffs and deputies bonds out of the county treasury; authorizing the sheriff to employ an attorney to advise and represent him, whose compensation is to be fixed by the board of revenue or like governing body and paid out of the general fund; and providing when and where this act shall become effective.

Also:

H. 294. To fix the salary of the Sheriff of Walker County, Alabama; to provide for payment of the same out of the General Fund of the County; to provide that all fees and commissions now allowed the Sheriff for services rendered shall be collected by him and paid over to the Treasurer of the County for the use of the General Fund of the County; to provide for the employment of deputies, including a chief deputy, jailers, and an office clerk or bookkeeper in the office of Sheriff of Walker County, to fix their salaries; to provide for the payment of same out of the General Fund of the County; to provide for the expenses of private motor vehicles used by the Sheriff and his deputies in the performance of their official duties; to provide for the payment of such ex-

penses out of the General Fund of the County; to provide for other necessary expenses of the office of Sheriff of Walker County, including stamps, stationery, books, office supplies, equipment and furnishings; to provide for the payment of such expenses out of the General Fund of the County; and to repeal all laws and parts of laws in conflict herewith.

Also:

H. 311. To regulate the jurisdiction of Justices of the Peace and Notary Publics and Ex Officio Justices of the Peace in Pickens County: their places for holding courts and their fees as such.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Patterson:

S. 246. For the relief of M. M. Mathis, Russell County, Alabama: authorizing and directing the Russell County governing body to pay M. M. Mathis one hundred and fifty dollars for the loss of his mule, killed during 1946 by county road machinery in performance of county functions.

With notice and proof thereto attached and herewith exhibited as follows:

This following Bill to be introduced during the Regular Session of the Legislature 1947:

A BILL TO BE ENTITLED AN ACT

For the relief of M. M. Mathis, Russell County, Alabama: authorizing and directing the Russell County governing body to pay M. M. Mathis one hundred and fifty dollars for the loss of his mule, killed during 1946 by county road machinery in performance of county functions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Russell County, Alabama, is authorized and directed to pay M. M. Mathis, Russell County, the sum of one hundred and fifty dollars, to compensate him for the loss of his mule, killed during 1946 by county road machinery in the performance of county functions.

Section 2. Payment shall be made by warrant of the chairman of the county governing body drawn upon the fund of the county in which are placed the gasoline tax receipts collected by the State and paid over to the county for the construction and maintenance of public roads.

Section 3 This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.
R. C. 22-4ts.

State of Alabama
Russell County

Before me, a Notary Public, in and for said County, in said State, personally appeared Isabel A. Moses, who being known to me, after first having been duly sworn, deposes and says:

That she is the Publisher of the Phenix-Girard Journal, a newspaper published in Phenix City, Russell County, Alabama, and having general circulation in said County and that the attached notice of the intention to apply for the passage of a local law affecting said Russell County was published in said newspaper once a week for four consecutive weeks in its issues of May 30th, June 6th, June 13th and June 20th, 1947; that said newspaper was printed all in Alabama and published in Russell County, Alabama, and is printed in the English language and has a general circulation in said County of Russell in which it is published and said newspaper had been mailed under the second class mailing privileges of the United States Post-Office in Phenix City, Alabama, where it is published, for Fifty-two weeks prior to the first publication of said notice in said newspaper.

ISABEL A. MOSES,
Publisher.

Sworn to and subscribed before me this the 26th day of June, 1947.

(SEAL)

ISAAC I. MOSES,
Notary Public.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 246. Local Legislation.

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H.J.R. 41. Be it resolved by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Thursday, July 10th, at 10:00 A.M.;

And be it further resolved that when the two Houses adjourn on Thursday, July 10th, they shall adjourn to meet again on Friday morning July 11th at 10:00 A.M.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 41 was adopted.

BILLS ON SECOND READING

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Pruitt:

H. 531. To regulate the use of State-owned passenger cars; making it unlawful to use a State-owned motor vehicle for personal convenience, pleasure or private business; limiting the number of State-owned passenger cars, and providing for the creation and operation of a motor pool; assignment of passenger cars; maintenance, purchase, and sale of motor vehicles; establishment of property control; and prescribing penalties for violations.

By Mr. Owens:

S. 147. To require employees of the State or any agency or subdivision thereof to take an oath disavowing Communist Party membership and the advocacy of overthrowing the government of the United States or the State of Alabama.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

By Mr. Roberts (by request) (with substitute):

H. 458. To amend Section 178 of Title 13 of the 1940 Code of Alabama, which relates to expenses of circuit judges in judicial circuits of more than one county.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House without recommendation:

By Mr. Fite (without recommendation):

S. 215. To apply in, but only in, judicial circuits composed of only three counties and having only two circuit judges, and which said judicial circuits have a population of not less than 100,000 nor more than 128,000, according to the last or any subsequent Federal Census; and to designate the places of residence of said circuit judges in said circuits.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Busby, Johnston, Gibson, Brown, Shelton, Larkins, Buckner, Wallace, and McGowin:

H. 78. To make an appropriation of \$150,000.00 to Tuskegee Normal and Industrial Institute to be expended for graduate work.

By Messrs. Busby, Johnston, Gibson, Brown, Shelton, Larkins, Buckner, Wallace and McGowin:

H. 81. To make an appropriation for the support and maintenance of the Tuskegee Institute.

By Messrs. Wallace, Johnston, Brown, Shelton, Busby, Larkins, Duffee, and McGowin:

H. 75. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

By Messrs. Larkins, Wallace, Johnston, Brown, Shelton, Busby, Duffee, and McGowin:

H. 76. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

By Messrs. Coburn, Givhan, Thompson (Pike), and Vann:

H. 221. To provide for a refund of a portion of the State tax paid on gasoline when the gasoline is used in propelling or operating tractors used exclusively for agricultural purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor.

By Messrs. Larkins, Shirley, Adams (Dale), White (Covington), Mathison, Wallace, Faulk, Thompson (Crenshaw), Thompson (Pike), Malone, and Knight:

H. 249. To appropriate funds for the use of the Wiregrass Experiment Station at Headland.

By Messrs. Givhan, Garrett, and Thagard:

H. 175. To appropriate fifteen thousand dollars (\$15,000) annually to the Agricultural Center Board for awarding prizes or premiums at livestock shows.

By Messrs. Givhan, Garrett, and Duffee:

H. 173. To make a conditional appropriation to the Agricultural Center Board for constructing and equipping additional regional facilities for housing livestock shows, agricultural and industrial displays, and other exhibits.

By Messrs. Lowe, Allen, Boutwell, and Henderson:

S. 87. To amend Section 30 of Title 41 of the 1940 Code of Alabama which relates to appropriation for rental of office spaces.

By Mr. Hardwick:

S. 137. To provide for licensing manufacturers, distillers, producers, distributors of and persons selling, attempting to sell, or acting as a broker for persons selling alcoholic liquors to the Alabama Alcoholic Beverage Control Board.

By Messrs. Lowe, Allen, Boutwell, and Henderson:

S. 85. To amend Section 175 of Title 55, Code of Alabama 1940.

By Messrs. Givhan, Thompson (Pike), Bennett, and Dobbs (Elmore):

H. 201. To provide for the vaccination against Brucellosis or Bang's Disease of calves at State expense, in order to reduce the prevalence or to exterminate contagious abortion or Bang's Disease and Brucellosis in cattle; to exempt certain classes of calves from the provisions of this Act; to provide that such vaccination be performed by the State Veterinarian or other qualified persons; to require the marking of calves already vaccinated; to prescribe the time and area in which the vaccination program shall be administered; to authorize the State Veterinarian to exempt from vaccination certain calves; to provide for a penalty to any person not complying with this Act or obstructing the State Veterinarian; to repeal all laws in conflict with this Act; to repeal Act No. 400, General Acts of 1945, page 619, approved July 7, 1945, entitled "An Act to provide for the vaccination of calves in Alabama against Brucellosis or Bang's Disease and to appropriate funds therefor during each of the fiscal years ending September 30, 1946 and 1947"; to provide that if any section of this Act be held unconstitutional, the remainder shall be valid; to provide for an appropriation to carry out the provisions of this Act, and to provide that any part of the appropriation remaining unexpended after a complete calfhood vaccination program has been finished may be used to match federal funds for indemnifying owners of cattle which have been condemned or slaughtered after having reacted positively to the test for tuberculosis, para-tuberculosis or Bang's Disease; and to provide for the effective date of this Act.

By Mr. Haynes (Franklin):

H. 466. To Amend Section 790, Article 11, Chapter 20, Title 51, Code of Alabama 1940, as Amended by Act No. 428, Approved July 9, 1945, General Acts, Regular Session 1945, Page 671, and To Amend Section 792, Article 11, Chapter 20, Title 51, Code of Alabama 1940, as Amended by Act No. 428, Approved July 9, 1945, General Acts, Regular Session 1945, Page 671.

By Messrs. McGowin, Shelton, Busby, Johnston, Larkins, Buckner, Brown, Gibson, and Wallace:

H. 6. To provide for the use of any surplus which remains in the State Treasury to the credit of Alabama Special Educational Trust Fund at the close of the fiscal year ending September 30, 1947, after all appropriations have been paid in full.

By Messrs. McGowin, Shelton, Busby, Wallace, Johnston, Larkins, Buckner, Brown, and Gibson:

H. 9. To repeal Sections 2 and 4 of the Act entitled "An Act, To make provision for the establishment, expansion, and mainte-

nance of a forest research and educational program for the State of Alabama; to make provision for a 4-year degree course in forestry; to make provision for a ranger school for the training of men for the State's forest fire control program; to make provision for better and more adequate training in forestry of agricultural students; to provide funds for the initial purchase of forestry equipment; to provide funds for construction of laboratory facilities; to provide funds for construction of a forestry building; to provide for the administration and direction of the work; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to authorize and empower county boards of revenue, county commissioners, or other governing bodies, individuals, firms, organizations, corporations, companies, or municipalities to make donations and appropriations for the purchase of land and equipment for the establishment of experimental forestry units in the several forest regions of the State; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations." approved July 9, 1945.

By Messrs. Busby, Brown, Wallace, Johnston, Gibson, Buckner, Larkins, and McGowin:

H. 88. To make an appropriation for the support of the Council of State Governments.

By Mr. White (Perry):

H. 446. To amend Section 7 of Title 60 of the 1940 Code, which relates to widows who are entitled to pensions.

By Mr. Henderson:

S. 121. To provide for and require examinations, x-rays, or other testings for tuberculosis of certain persons residing in Alabama, making an appropriation to carry out the terms of the Act, providing penalties for violations thereof.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

By Messrs. Givhan, Miller, and Martin (with amendment):

H. 426. To provide for an increase in the salaries of classroom teachers in the public school system of the State of Alabama, and to make an appropriation therefor.

By Messrs. Thagard, McClendon, and White (Perry) (with amendment):

H. 316. To make provision for the creation and maintenance of a Sub-Agricultural Experiment Station for Horticultural Research in the Chilton County Horticultural Area for the purpose of finding out new scientific facts in regard to the production, processing, storage, use, and marketing of truck, fruit, and nut crops;

the use of fertilizers; the adaptation and improvement of varieties of truck, fruit, and nut crops; the control of insect pests and plant diseases; and other similar horticultural problems having for their object the development of a more permanent, more profitable and diversified horticulture; to designate the counties of the State constituting the Chilton County Horticultural Area; to provide for the location of said Sub-Agricultural Experiment Station for Horticultural Research; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower County Boards of Revenue, County Commissioners, or other governing bodies having similar jurisdiction in the several counties comprising the Chilton County Horticultural Area; individuals, firms, organizations, corporations, companies, or municipalities to make donations and appropriations for the purchase of land and equipment for the said Sub-Agricultural Experiment Station for Horticultural Research; and to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.

By Mr. Davis (with amendment):

H. 476. To authorize and provide for the payment of the sum of \$1800.00 for the relief of A. S. Logel, to reimburse him for hospital, doctor and medical bills, and for the permanent loss of the sight of his right eye, by reason of an accident occurring on the 19 day of March, 1944 while the said A. S. Logel was employed by the State of Alabama as a member of the State Highway Patrol, and while he was acting in the line and scope of his employment as a patrolman.

By Mr. McGowin (with amendment):

H. 461. To amend Sections 620, 621, 622, 623, 624, 625, 626, 627, 628, and 629 of Title 51 of the 1940 Code, which relate to the State privilege license for operating, maintaining, opening, or establishing a store.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

By Messrs. White (Perry), Givhan, and Thagard (with substitute):

H. 220. To make appropriations to the Alabama Agricultural Experiment Station System of Alabama Polytechnic Institute for constructing, erecting, equipping, furnishing, operating and maintaining greenhouses and laboratories for study and research in floriculture.

By Messrs. Larkins, Shirley, Adams (Dale), White (Covington), Mathison, Wallace, Faulk, Thompson (Crenshaw), Thompson (Pike), and Knight (with substitute):

H. 248. Relating to livestock: prescribing certain powers and duties of the Department of Agriculture and Industries with respect to preventing, combating and extirpating certain contagious, infections and communicable diseases of livestock; providing for the purchase, distribution and administration of anti-hog cholera serum and hog cholera virus and making an appropriation therefor.

By Mr. Buckner (with substitute):

H. 170. To provide and appropriate for the establishment, maintenance, and operation of a North Alabama Horticultural Experiment Substation in Cullman County as part of the Alabama Agricultural Experiment Station System of the Alabama Polytechnic Institute.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Callahan and Shelton:

H. 569. To submit to the qualified electors of the State of Alabama at an election to be held on the First Tuesday after the expiration of three months after the final adjournment of the Regular Session of the 1947 Legislature for their consideration an amendment to the Constitution of Alabama for the purpose of levying and collecting in the City of Tuscaloosa and in the several school districts of Tuscaloosa County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes and providing for the issuance of bonds arising from the funds of said special school tax for the construction and improvement of public school buildings and acquiring sites therefor.

The above and foregoing bill, H. 569, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Fite:

S. 30. To propose an amendment to the Constitution of Alabama relative to the establishment and abolition of divisions and branches of courts of record and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next general election in November, 1948, at which the amendment is proposed.

The above and foregoing bill, S. 30, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Shelton:

H. 533. To provide a method whereby a person who is absent from the county of his or her residence, because of attendance at any public or private institution of higher learning in Alabama, can register to vote.

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. White (Covington):

H. 586. To provide for advance payment out of the fine and forfeiture fund of Covington County, Alabama, after registration, of certain officers' claims and witness certificates for attendance before the grand jury and the Circuit Court of Covington county; to provide for the reimbursement of said fund when the Clerk of the Circuit Court receives payment of such paid claims and certificates; and to prescribe the duties of the Clerk of the Circuit Court and of the custodian of the fine and forfeiture fund with respect to the payments herein authorized.

By Messrs. Sadler, Meeks, and Adams (Jefferson):

H. 587. To regulate tourist camps, motor courts, and motels in counties having a population of more than four hundred thousand inhabitants and to provide penalties for the violation of the Act.

By Mr. Coburn:

H. 584. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Colbert County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

By Mr. Stone:

H. 403. To Amend Section three (3) of an Act entitled "An Act to provide for a Deputy County Treasurer in each County in the State, having a population of not less than one hundred twenty-five thousand, and not more than three hundred thousand inhabitants, according to the last, or to any succeeding Federal census; and to provide for the qualifications, appointment, term, duties, bond, and compensation of such Deputy County Treasurers," approved July 6, 1943. (General Acts 1943, pages 339-340).

By Mr. Stone:

H. 402. To Amend Section 41, Title 62, of the Code of Alabama, 1940.

By Messrs. Sullivan and Stone:

H. 496. To require the Tax Assessor of Mobile County, Alabama in addition to such duties as are now required of him by law,

to act in an advisory capacity to the Mobile County Board of Equalization, and to investigate complaints as to assessments and make reports thereon to said Board, and to provide for additional compensation of the Tax Assessor of Mobile County, Alabama, on account of such extra duties.

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Cox:

H. 591. To Amend Section 5 of Title 7 of the Code of Alabama, 1940.

Judiciary.

By Mr. Cox:

H. 592. To Amend Section 102 of Title 34 of the Code of Alabama, 1940.

Judiciary.

By Mr. Wallace:

H. 593. To regulate, through licensure, the lending of money in amounts of three hundred dollars or less; fixing maximum rates of interest and charges lenders are permitted to demand or receive; voiding loans made in violation of the Act; restricting the remedy and the procedure for recovering such loans; and prescribing punishment for certain violations of the Act.

Business and Labor.

By Messrs. Larkins, Shirley, Thompson (Pike) Mathison, Knight, Wallace, Adams (Dale), Thomas:

H. 594. To enable farmers who are producers of agricultural commodities to act jointly with dealers and processors in promoting the sale, distribution and consumption of such Alabama products.

Agriculture.

By Messrs. Beck, Lovelace, Roberts, Buckner, Merrill, Tucker, Rogers, McIlwain:

H. 595. To further provide for the general revenue of Alabama; and to provide for the distribution of said revenue on a population basis among incorporated towns and cities of Alabama.

Ways and Means.

By Messrs. Gibson, Sadler, Kaul, Meeks, Adams (Jefferson), Beatty, Dumas (with notice and proof):

H. 596. To Provide methods of appointment to and terms of office of certain Recorders of the City of Birmingham, Alabama; to

define the powers, duties, and qualifications of such officers, and provide for the salaries of such officers and fixing the manner of payment of such salaries; to define the duties and powers of other officials with respect to said offices including the power to provide for filling absences of such officers during absence or disability and for other purposes.

Local Legislation.

Notice and Proof H. 596:

NOTICE OF A PROPOSED LOCAL ACT.

Notice is hereby given of the intention to apply to the present regular session of the Legislature at the adjourned session commencing in June, 1947, for the passage of a local law in substance as follows:

A BILL TO BE ENTITLED AN ACT

To provide methods of appointment to and terms of office of certain Recorders of the City of Birmingham, Alabama; to define the powers, duties and qualifications of such officers, and provide for the salaries of such officers and fixing the manner of payment of such salaries; to define the duties and powers of other officials with respect to said offices including the power to provide for filling absences of such officers during absence or disability and for other purposes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That from and after November 1st, 1947, all Recorders of the City of Birmingham regularly assigned to the trial of causes involving violation of any of the ordinances of the City of Birmingham, statutes of the State of Alabama, or any other law, shall be appointed for terms of four (4) years in the manner and under the conditions following, to-wit:

A. Such appointments shall be made by a majority vote of the members of the City Commission or other governing body of the City of Birmingham, with the advice and consent of: (1) President of the Birmingham Bar Association and (2) A judge of the Circuit Court for the Tenth Judicial Circuit of Alabama regularly assigned to the trial of appeals to said Court from the Recorder's Court of the City of Birmingham.

B. Any such appointment may be vacated before the expiration of any term for which such Recorder was appointed by a unanimous vote of the members of the City Commission or other governing body of the City of Birmingham, and the President of the Birmingham Bar Association, and the Judge of the Circuit Court for the Tenth Judicial Circuit of Alabama regularly assigned to the trial of appeals of said Court from the Recorder's Court of the City of Birmingham.

Section 2. That the Recorders referred to in Section 1 of this Act shall be learned in the law and shall at the time of their appointment, as well as during their tenure of office, be residents of the City of Birmingham, Alabama.

Section 3. That in the absence, disability, or disqualification of any such recorder, the Commissioner of Public Safety of the City of Birmingham, or that officer of the governing body of said City with direct supervision of the functions of Public Safety, may appoint some person to act in such Recorder's stead during such interval, and such person so appointed shall have

and exercise the powers and duties of such Recorder, and shall be compensated out of the City Treasury in such sum as the Commission or other governing body of said City may provide.

Section 4. That each Recorder described in Section 1 of this Act shall receive an annual salary in such sum as may from time to time be fixed by the City Commission of Birmingham or such other governing body, which salary shall be payable out of the Treasury of said City in either monthly or semi-monthly installments. No such Recorder's salary shall be diminished or increased during his term of office: provided, however, that in case of a general decrease in the salaries or compensation of all or substantially all City employees, such decrease may be applied proportionately to the salaries of such Recorders; and that in case of a general increase in the salaries or compensation of all or substantially all City employees, such increases shall be applied proportionately to the salaries of such Recorders.

Section 5. The provisions of this Act are intended and shall apply only to those Recorders specifically described in Section 1 of this Act, and is not intended to apply to the appointment of or tenure of office of other Recorders of the City of Birmingham who are not regularly assigned to the trial of causes as described in Section 1.

Post: June 16, 23, 30 and July 7.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, ss,
COUNTY OF JEFFERSON.

D. Fish personally appeared before me this 30 day of June 1947 and upon oath states that he is the bookkeeper of The Birmingham Post a newspaper of general circulation in the City of Birmingham, County of Jefferson, State of Alabama, and further declares that the attached advertisement is a true copy which appeared in the said Birmingham Post on the following dates, to wit: June 16, 23, 30 July 7 1947.

DELMA A. FISH,
Bookkeeper,
Birmingham Post.

Subscribed and sworn to before me this 30 day of June 1947

(SEAL) ROBT. C. GEORGE,
Notary Public.

My Commission Expires Jan. 16, 1949

By Messrs. Dumas, Sadler, Adams (Jefferson), Meeks, Gibson:

H. 597. To provide, in any city of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority to sponsor, promote, develop and foster agriculture and industry, and to provide educational, cultural and recreational facilities, exhibits and exhibitions and places of amusement and entertainment for the citizens of such city; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the city to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute

mortgages or other conveyances as security for money so borrowed; to authorize the city to make appropriations or to lend money to the authority; and to accord the authority exemption from State, county and city taxation.

Local Legislation.

By Messrs. Dumas, Sadler:

H. 598. To amend an Act entitled "An Act to amend 'an Act to abolish bills of exception in the circuit court and courts of like jurisdiction and all other courts of record having a full time reporter and from which appeals lie directly to the Court of Appeals or the Supreme Court of Alabama in cases at law, and to provide for the evidence to be transcribed and made a part of the record and for assignments of error on the record'", approved July 6, 1945.

Judiciary.

By Messrs. Dumas, Sadler:

H. 599. To authorize the supreme court of Alabama to adopt, modify and repeal general rules and forms governing pleading, practice and procedure in all courts in this state, including the forms of process, writs, pleadings, indictments and motions, and the subjects of parties, depositions, discovery, trials, evidence, judgments, new trials, provisional and final remedies, and any review of, or other supervisory proceedings from, the judgment or decision of any court, board, officer, or commission, when such review is authorized by law; to provide how and when such rules and forms shall become effective; and to provide that the supreme court of Alabama shall retain all its existing rule-making power.

Judiciary.

By Mr. Dumas:

H. 600. To Amend Section 66 of Title 36, of the 1940 Code of Alabama

Transportation.

By Messrs. Dumas, Stone, Busby, Malone, Benford, Snodgrass, McGowin:

H. 601. To regulate the business of making loans of \$100 or less; to provide penalties for the charging of outrageously usurious interest; to define Small Loan Companies making loans of \$100 or less; to require Small Loan Companies to keep accurate books and records relating to each loan of \$100 or less; to require the filing of an affidavit in each suit by a Small Loan Company on a loan of \$100 or less; to require an annual report by Small Loan Companies; to require the Superintendent of the Bureau of Loans to examine the books and records and annual reports of Small Loan Companies and report violations to the Attorney General; to provide for the suspension of licenses; to provide penalties for violations of this act and for receiving, charging, or attempting to

charge interest in excess of 40 per cent per annum for loans of \$100 or less; to make Small Loan Companies charging such interest liable to the State for three times such excess; to make such violations or the receiving, charging, or attempting to charge such interest a misdemeanor; and to provide for civil enforcement actions.

Business and Labor.

By Mr. Davis:

H. 602. To prohibit the admission of confessions in evidence when made by the accused in the presence of or at the instance of law enforcement officers, unless the accused was represented by counsel when the confession was made.

Judiciary.

By Mr. Broadwater (with notice and proof):

H. 603. To create and establish in Limestone County, in lieu of the existing court created by Act No. 362, approved July 6, 1931, and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and of civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

Local Legislation.

Notice and Proof H. 603:

NOTICE

This is to notify the voters of Limestone County, Alabama, that it is the intention of the undersigned to introduce the following local bill during the regular session of the 1947 Legislature.

David U. Patton, Senator
Bunyan D. Broadwater, Representative

A BILL TO BE ENTITLED AN ACT

To create and establish in Limestone County, in lieu of the existing court created by Act No. 362, approved July 6, 1931, and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and of civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. County Court Created. This is hereby established in Limestone County a court of record, which shall have county-wide limited jurisdiction of criminal cases and of civil actions at law and in equity. The court shall be known as, "The Limestone County Court." It shall be in lieu of the court created and established by Act No. 362, approved July 6, 1931 (Local Acts, 1931, Page 167), as amended by Act No. 81, approved October 11, 1932 (Local Acts, 1932, Page 27), and as amended by Act No. 29, ap-

proved May 25, 1945 (Local Acts, 1945, Page 38), which court is hereby abolished.

Section 2. Jurisdiction. (a) Except as provided in Subsection (c) the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases, civil or criminal, cognizable before the circuit court, or a county court, or justices of the peace, and courts created in lieu thereof, and all courts of like jurisdiction. It shall have concurrent jurisdiction of juvenile cases. It shall have authority to punish contempts as a circuit court, and may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the constitution and statutes of the State of Alabama and law-made rules governing the practice and procedure of courts of record.

(b) The court shall have exclusive appellate jurisdiction in cases appealed from justices of the peace, mayor's or recorder's courts, and all inferior courts of the county. Such appeals shall be had as appeals to the circuit court, unless otherwise herein provided.

(c) The court shall not have power to try persons charged with felonies, nor shall it have power to draw, organize or empanel grand juries.

Section 3. Judge. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1948. His term shall be for four years from the second Tuesday after the first Monday in January next following his election, and until his successor is elected and qualified.

(b) The first judge of the court shall be the person holding office as judge of the court abolished by this Act, and he shall hold office until his successor is elected or appointed and assumes office as provided herein.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution of Alabama. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner prescribed by law. No person shall be eligible to the office of judge unless he is at the time of his appointment or election a qualified elector of Limestone County, learned in the law and admitted to the practice of law by the Supreme Court, of Alabama, for a period of at least three years prior to such election or appointment, and over the age of twenty-five years. The judge shall not engage in the practice of law during his term of office; and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in section 158 of the Constitution.

(d) The judge shall receive an annual salary of three thousand six hundred dollars (\$3600.00), payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(e) The judge shall have authority to: 1) grant writs of habeas corpus, certiorari, supersedeas, quo warranto, mandamus and all other remedial and original writs which are grantable by the circuit judges; 2) grant writs of injunction and ne exeat; 3) administer oaths and take acknowledgments; 4) exercise such other powers, jurisdiction or authority as may be conferred by law upon circuit judges, judges of juvenile or county courts, and justices of the peace, except as otherwise provided herein.

(f) The judge shall keep an office in the county courthouse. His office shall be suitably equipped, furnished and provided, at the expense of the county, with such office supplies and stationery, stamps, furniture, fixtures, telephone and other facilities as may be necessary for the transaction of the business of the court.

(g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided by Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code, who shall be paid five dollars for each day or fraction thereof that he serves, out of the general fund of the county.

Section 4. Sessions. (a) Sessions of the court shall be held at the county courthouse, and the court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Monday in each

month for the trial of civil actions at law, and on the third Monday in each month for the trial of criminal cases. Special sessions may be held at such times as the judge shall designate in orders spread upon the minutes. Sessions may continue so long as it may be necessary for the court to complete its business. Jury sessions must be held at least once every four months and may be held oftener, if in the discretion of said judge, it is considered necessary.

(b) The Sheriff shall attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court. He shall receive the same fees for executing the processes of the court as provided by law for the executing of the same processes in the circuit court or justice of the peace courts and they shall be collected in the same manner.

Section 5. Practice and Procedure. (a) Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competency of witnesses, admissibility of evidence, regulation of suits, and the time within which suits may be brought or appearances entered shall be governed by the statutes and rules of practice and procedure governing the circuit courts.

(b) In all civil cases at law where the amount involved is one hundred dollars or less, or where a justice of the peace would have final jurisdiction, the rules of pleading and the time within which suits may be brought, tried or appearances entered shall be governed by the rules and laws applicable to civil actions before a justice of the peace.

(c) Criminal cases of all types shall be set for as speedy and early a hearing as the court or judge thereof may see fit.

(d) The court shall have three divisions, namely, law, equity and criminal. Juvenile cases shall be docketed and tried in the law division.

Section 6. Juries. (a) The judge shall draw petit jurors to try cases in the same manner as they are drawn in the circuit court.

(b) In all civil cases the judge shall decide all issues of fact without the intervention of a jury, except in civil actions at law where the plaintiff demands a jury trial in writing at the commencement of the suit, or in cases where the defendant demands a jury trial in writing within thirty days after the perfection of service upon him; in cases where the amount involved is one hundred dollars or less or where a justice of the peace would have final jurisdiction, a jury must be demanded not later than the date set for trial if such is less than thirty days after service or process. In civil cases at law brought by appeal or certiorari from judgments of justices of the peace or other inferior courts, a jury trial may be demanded in writing by the appellant within ten days after taking the appeal, or by appellee within ten days after notice of the appeal shall have been perfected.

(c) In all misdemeanor cases the judge shall decide issues of fact without the intervention of a jury, except in cases where the defendant files a written demand or a jury trial with the clerk within thirty days after his arrest, or not later than the trial date if such is less than thirty days after his arrest, or if an appeal, within thirty days after the taking of the appeal.

(d) No jury shall be allowed in equity cases except where such is provided for in equity cases in the circuit court.

Section 7. Costs. (a) In all matters, causes and proceedings in which justices of the peace would have final jurisdiction, the costs and fees taxable shall be the same as are allowed in justice of the peace courts. The usual solicitor's fees provided in cases in circuit courts shall be taxed as a part of the costs in all criminal cases, except in a criminal case where a justice of the peace would have final jurisdiction in which no solicitor's fee shall be charged. Witnesses shall be allowed fifty cents per diem for their attendance in all cases where a justice of the peace would have final jurisdiction, and one dollar per diem in all other cases. Witnesses shall not be entitled to mileage in any case. No trial tax shall be charged in any case. In all other cases, the usual fees and costs shall be taxed as in circuit court, unless otherwise provided herein.

(b) Officers who are paid a salary by the State or any political subdivision thereof shall not be entitled to witness fees for attending the court.

(c) In each case reported by the reporter, there shall be taxed as a part of the costs the sum of three dollars.

(d) All fines and forfeitures, except those required by law to be paid or remitted to the State Treasurer, or other State officer or department, all solicitor's fees and all court reporter's fees shall be deposited by the clerk in the general fund of the county. The clerk shall retain his own fees and the fees of the sheriff and witnesses and shall pay them to the parties entitled thereto. All other items of costs shall be deposited in the general fund of the county, unless otherwise provided by state law.

(e) No costs shall be taxed in juvenile cases.

(f) If the defendant is acquitted, or if the case is nol prossed or is abated by the death of the defendant, or if the indictment, complaint or affidavit is withdrawn and filed, no clerk's fees or sheriff's fees shall be charged; witness fees, however, in the amounts hereinbefore set forth shall accrue against the county fine and forfeiture fund for the state's witnesses within a reasonable number as determined by the judge.

Section 8. Criminal Prosecutions. a) No prosecution shall be commenced in the court except by transfer from the circuit court of Limestone County or upon sworn complaint made to either the judge or clerk of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictment. The clerk shall keep a docket of all complaints made or warrants issued. If the original complaint or warrant is lost, mislaid or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) An amendment of the sworn complaint or affidavit without the defendant's consent shall entitle the defendant to a continuance.

(c) The county solicitor for Limestone County shall, without additional compensation, prosecute for the State all criminal cases commenced in the court, and shall prepare any and all complaints, affidavits or other pleadings in which the State is a party. In the event the county solicitor is absent or disqualified, the judge shall appoint a special prosecutor, who shall be paid five dollars for each day or fraction thereof that he is called upon to serve, out of the general fund of the county.

Section 9. Appeals. Any party aggrieved by a final judgment, order or ruling of the court may appeal to the Court of Appeals or Supreme Court in the same manner and within the same time as appeals may be taken in the circuit court.

Section 10. Judgments. The party in whose favor a judgment is rendered shall have all the rights, remedies and privileges with respect to the registration and enforcement thereof as provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. Clerk and Register. (a) The circuit court clerk of Limestone County and the register of the circuit court shall be the clerk and register, respectively, of the court herein established. The clerk shall receive the same fees in civil cases where the amount involved exceeds one hundred dollars as are allowed in circuit courts, and in cases where the amount involved is one hundred dollars or less, the same fees as are allowed justices of the peace for like services. The register shall receive the same fees as are allowed in the circuit courts. Each shall have authority to purchase at the county's expense such records, stationary, office supplies and equipment as may be necessary to conduct the court's business. Each shall keep a seal, which shall be the official seal adopted by the court. Said clerk and register shall make a bond payable to the State of Alabama in the penal sum of \$5,000.00 and shall take the oath of office as required of all officers of the State of Alabama.

(b) The clerk of this court and the register of this court shall have the same authorities and shall perform the same duties as the circuit court clerk and the register of the circuit court have under the general laws of the State of Alabama.

Section 12. Reporter. The judge shall secure the services of a competent reporter to attend the sessions of the court and report all cases tried who request therefor is made by any party to a suit. He shall serve at the will and pleasure of the judge. The reporter shall receive five dollars for each day that he is called upon to serve, to be paid out of the general fund of the county, and in addition, he shall receive for his own use from the parties to suits when they request such, ten cents per hundred words for making a transcript of evidence taken by such reporter, and five cents per hundred words for each copy thereof. He shall be required to keep his notes and records for public use and inspection.

Section 13. Transfer of cases. (a) All cases and actions pending in the court abolished by this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court, this court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

(b) The presiding judge of the Circuit Court of Limestone County shall, on the effective date of this Act or as soon thereafter as is practicable, transfer to the court created herein all cases pending in the circuit court against persons charged with a misdemeanor, and such cases shall proceed as though begun therein. After the effective date of this Act, every indictment returned by a grand jury of Limestone County which charges a person with a misdemeanor shall be transferred immediately to the court herein created and all subsequent proceedings on the indictment shall be had therein.

(c) All civil cases at law or in equity now or hereafter pending in the circuit court may be transferred to the court herein created by agreement of the parties; similarly, all civil cases at law where the amount claimed or involved exceeds fifty dollars, and all equity cases arising in the court herein created, may be transferred by agreement of the parties to the Circuit Court of Limestone County.

Section 14. Transfer of Funds. The net balance on hand after the payment of all claims accrued or accruing at the time of the effective date of this Act in the "Limestone County Court Fund" of the court abolished by this Act shall be transferred as soon after said effective date as is practicable by the judge of this court to the Fine and Forfeiture Fund of Limestone County.

Section 15. Severability. The provisions of this Act are severable. If any part is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 16. Repealer. All laws which conflict with this act are repealed.

Section 17. Effective date. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

State of Alabama,
Limestone County

Before me, the undersigned authority in and for said State and County, personally appeared Steele McGrew, who being first duly sworn, deposes and says that he is the Editor and Publisher of the Alabama Courier, a weekly newspaper of general circulation and published in Limestone County, Alabama; that the above and foregoing notice was published once a week for four (4) consecutive weeks in said Alabama Courier on to wit: June 12, June 19, June 26, and July 3, 1947, without cost to the State of Alabama.

STEELE MCGREW.

Sworn to and subscribed to before me, this the 5 day of July, 1947.

HARRY TAFT,

(SEAL)

Notary Public, Limestone County, Alabama.

By Mr. Broadwater (with notice and proof):

H. 604. To consolidate and combine the offices of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of

Limestone County; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation.

Local Legislation.

Notice and Proof H. 604:

NOTICE

This is notify the voters of Limestone County, Alabama, that it is the intention of the undersigned to introduce the following local bill during the regular session of the 1947 Legislature.

David U. Patton, Senator

Bunyan D. Broadwater, Representative.

A BILL TO BE ENTITLED AN ACT

To consolidate and combine the offices of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. After the expiration of the terms of office of the incumbents, the following offices in Limestone County shall be consolidated and the powers and duties of such officers shall be conferred on and be exercised by the Circuit Clerk of Limestone County; namely, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court.

Section 2. A Circuit Clerk for Limestone County shall be elected by the qualified electors of the county at the general election to be held in the year 1952, and every four years thereafter; the clerk shall hold office for a term of four years, and until his successor is elected and qualified, and shall be paid \$3,000.00 annually from the General Fund of Limestone County, Alabama, in equal monthly installments. The clerk shall be allowed one assistant clerk, to be appointed by him, who shall receive an annual salary of not more than \$1,440.00 and not less than \$1,200.00, the exact amount to be fixed by the governing body of the county, which shall provide for paying the same in equal monthly installments out of the General Fund of Limestone County.

Section 3. After the consolidation of the offices enumerated in Section 1 of this Act, all fees which at present accrue to such officers shall be paid into the General Fund of Limestone County.

Section 4. All laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

State of Alabama,
Limestone County

Before me, the undersigned authority in and for said State and County, personally appeared Steele McGrew, who being first duly sworn, deposes and says that he is the Editor and Publisher of the Alabama Courier, a weekly newspaper of general circulation and published in Limestone County,

Alabama; that the above and foregoing notice was published once a week for four (4) consecutive weeks in said Alabama Courier, on to wit: June 12, June 19, June 26, and July 3, 1947, without cost to the State of Alabama.

STEELE McGREW.

Sworn to and subscribed to before me, this the 5 day of July, 1947.

HARRY TAFT,

(SEAL)

Notary Public, Limestone County, Alabama.

By Mr. Broadwater (with notice and proof):

H. 605. To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office.

Local Legislation.

Notice and Proof H. 605:

NOTICE

This is to notify the voters of Limestone County, Alabama, that it is the intention of the undersigned to introduce the following local bill during the regular session of the 1947 Legislature.

David U. Patton, Senator

Bunyan D. Broadwater, Representative.

A BILL TO BE ENTITLED AN ACT

To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Judge of Probate of Limestone County shall be paid a salary of three thousand and six hundred dollars (\$3,600) per annum in lieu of any other compensation or remuneration for the performance of his duties. All fees, commissions, percentages, and allowances heretofore collectible for the use of the Judge of probate shall be collected and paid into the general fund of the county. The salary of the judge of probate shall be paid out of the general fund of the county in equal monthly installments as the salaries of county employees are paid.

Section 2. The judge of probate may employ one chief clerk and two assistant clerks, whose salaries shall be fixed by him and paid by the county. The annual salary of the chief clerk shall be not less than one thousand and eight hundred dollars (\$1,800) and not more than two thousand and four hundred dollars (\$2,400). The annual salary of assistant clerks shall be not less than one thousand and two hundred dollars (\$1,200) and not more than one thousand and five hundred dollars (\$1,500). The judge of probate shall not employ any clerk unless he shall file, on or before January 1 of each year, his affidavit showing the necessity for the employment of clerks during the ensuing year.

Section 3. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 4. All laws in conflict with this Act are repealed.

Section 5. This Act shall become effective upon the expiration of the term of office of the incumbent Judge of Probate of Limestone County

English language, of general circulation in Mobile County, Alabama, which has been mailed under the second class mailing privileges of the United States Post Office Department from Mobile, Alabama, for more than 52 weeks prior to date of attached advertisement and that the attached advertisement was published in the Post on June 13, 20, 27; Jul 4, 1947.

C. M. SHEPARD, JR.

Sworn and subscribed to before me on the 5th of July 1947

E. C. VAUGHAN,

(SEAL)

Notary Public, Mobile County, Alabama.

By Mr. Pinkston:

H. 607. To amend Section 98 of Title 11 of the 1940 Code, which relates to the compensation of jurors.

Local Government.

By Mr. Bennett (with notice and proof):

H. 608. For the relief of Mrs. U. G. Brimer as compensation for the death of her husband, U. G. Brimer, deceased, of Calhoun County, Alabama, as result of injuries received while he was in the line of and performing his duties as a road employee of Calhoun County, Alabama.

Local Legislation.

Notice and Proof H. 608:

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING BILL WILL BE INTRODUCED IN THE PRESENT 1947 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA:

A BILL
TO BE ENTITLED
AN ACT

For the relief of Mrs. U. G. Brimer as compensation for the death of her husband, U. G. Brimer, deceased, of Calhoun County, Alabama, as result of injuries received while he was in the line of and performing his duties as a road employee of Calhoun County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the County Commission of Calhoun County, Alabama, be and is hereby authorized to pay to Mrs. U. G. Brimer the sum of Two Thousand and 00/100 (\$2,000.00) Dollars, as compensation to her and the four minor children of the said U. G. Brimer, for the death of her husband, U. G. Brimer, which occurred on the 3rd day of June, 1947, as result of injuries received by the said U. G. Brimer, on or about November 26, 1946, while working as an employee of said County and in the line of and performing his duties as an employee of the Road Department of Calhoun County, Alabama, and under such circumstances that the widow and other members of the family have no recourse at law to recover damages or compensation for his death. That the County Commission of Calhoun County, Alabama, be and is hereby empowered and authorized to pay such compensation to Mrs. U. G. Brimer out of the General Fund of Calhoun County, Alabama.

Section 2. That this Act shall take effect immediately upon its passage and approval.
June 13-20-27 and July 4.

State of Alabama,
Limestone County

Before me, the undersigned authority in and for said State and County, personally appeared Steele McGrew, who being first duly sworn, deposes and says that he is the Editor and Publisher of the Alabama Courier, a weekly newspaper of general circulation and published in Limestone County, Alabama; that the above and foregoing notice was published once a week for four (4) consecutive weeks in said Alabama Courier, on to wit:- June 12, June 19, June 26, and July 3, 1947, without cost to the State of Alabama.

STEELE MCGREW.

Sworn to and subscribed to before me, this the 5 day of July, 1947.

HARRY TAFT,

(SEAL)

Notary Public, Limestone County, Alabama.

By Messrs. Sullivan, Stone, Johnston (with notice and proof):

H. 606. To provide and fix the compensation of the Judge of the Inferior Sriminal Court of Mobile County for services rendered from and after the passage of this Act in the Civil Division of the Inferior Criminal Court of Mobile County and to provide for the payment thereof out of the Treasury of Mobile County.

Local Legislation.

Notice and Proof H. 606:

LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature at the Regular 1947 Session for the passage of an Act in substance as follows:

A BILL TO BE ENTITLED AN ACT

To provide and fix the compensation of the Judge of the Inferior Criminal Court of Mobile County for services rendered from and after the passage of this Act in the Civil Division of the Inferior Criminal Court of Mobile County and to provide for the payment thereof out of the Treasury of Mobile County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1. That from and after the passage of this Act and its approval by the Governor, the Judge of the Inferior Criminal Court of Mobile County shall receive as compensation for services rendered in the Civil Division of the Inferior Criminal Court of Mobile from and after the passage of this Act, the sum of Twelve Hundred Dollars per annum, payable in monthly installments out of the Treasury of Mobile County.

2. This Act shall go into effect upon its passage and approval by the Governor.

June 13, 20, 27; July 4.

State of Alabama
County of Mobile

Personally appeared before me the undersigned authority in and for said state and county, C. M. Shepard, Jr., who being sworn does depose and say he is Publisher of the Mobile Post a weekly newspaper printed in the

THE ANNISTON STAR
Anniston, Ala.

Personally appeared before me Ralph W. Callahan, who, being duly sworn, makes oath that he is Business Manager of The Anniston Star, a daily newspaper published in Anniston, Ala., and that the attached notice was published on the following dates: June 13-20-27 and July 4

RALPH W. CALLAHAN.

Sworn to and subscribed before me this 5 day of July 1947

CLARA B. WRIGHT,
Notary Public.

(SEAL)

By Messrs. Thompson (Pike), Shirley (with notice and proof):

H.609. To alter and extend the corporate limits of the Town of Brundidge, Pike County, Alabama, and rearrange and define the boundaries thereof.

Local Legislation.

Notice and Proof H. 609:

NOTICE
TO WHOM IT MAY CONCERN

You are hereby notified that at the present session of the Legislature of Alabama, there will be introduced in said Legislature of Alabama, the following local Bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and extend the corporate limits of the Town of Brundidge, Pike County, Alabama, and rearrange and define the boundaries thereof:

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That hereafter the corporate limits of the Town of Brundidge, Pike County, Alabama, shall include the following described lands: West half of Section 25; Section 26; East half of Section 27; East half of Section 34; Section 35; and West half of Section 36, all in Township 9 North, Range 21 East. All of the above described lands shall be included within the corporate limits of said Town.

Section 2. That this Act shall take effect immediately upon its passage and approval by the Governor.

State of Alabama.
Pike County.

Before me, E. C. Orme, a Notary Public, in and for said County and State, personally appeared Eldon J. Hoar, who being by me first duly sworn, deposes and says: That he is the editor and publisher of The Troy Messenger, a newspaper, printed and published in Pike County, Alabama, and of general circulation in said County; that said newspaper is printed in the English language, and has been mailed under the second class mailing privilege of the United States Post office department from the post office where it is published for more than fifty two weeks prior to the first insertion of said advertisement, which is hereto attached, and the same appeared in said Troy Messenger once a week, for four consecutive weeks, being printed in

said newspaper on the following dates, June 11th, June 18th, June 25th, and July 2nd, 1947.

ELDON J. HOAR.

Sworn to and subscribed before me, this the 5th day of July, 1947.

E. C. ORME,
Notary Public.

By Mr. Ingalls:

H. 610. To amend Section 421 of Title 14 of the Code of Alabama for 1940.

Judiciary.

By Mr. Shelton:

H. 611. To provide for meetings of the Board of Registrars in counties having a population of not less than seventy-five thousand nor more than one hundred thousand inhabitants.

Local Legislation.

By Mr. Pinson:

H. 612. To Amend Section 268, Title 55, 1940 Code of Alabama.

Ways and Means.

By Messrs. Pinkston, Shirley, Thompson (Pike), Pruitt, Pinson, Barnett, Rogers, Bennett, Howell:

H. 613. To make appropriations from the Alabama Special Educational Trust Fund for the support and maintenance of the Teachers Colleges of Alabama under the administration of the State Board of Education for each of the fiscal years ending September 30, 1948, and September 30, 1949.

Ways and Means.

By Mr. Roberts:

H. 614. To amend Section 461, Title 37, Code of Alabama, 1940, relating to codification of ordinances.

Local Government.

By Messrs. Gibson, Dumas:

H. 615. To amend Section 718 of Title 51 of the 1940 Code, which relates to the sales tax on tobacco.

Ways and Means.

By Messrs. Dumas, Gibson:

H. 616. To amend Section 647 of Title 51 of the 1940 Code, which relates to the excise tax on gasoline.

Ways and Means.

By Mr. Weaver (with notice and proof):

H. 617. To authorize the Sheriff of Winston County, Alabama, with the approval of the County Governing Body, to appoint three additional Deputies Sheriff whose salary, not to exceed \$900.00 annually, and the duration of service may be fixed and de-

terminated by said County Governing Body; to designate the county residence and the areas of service of said deputies, and to prescribe their duties and to require them to give bond as provided by the General Laws of Alabama; to provide that the salaries of said Deputies shall be paid out of the General Fund of the County, which shall be reimbursed out of certain fines, forfeitures, costs and fees; to provide when this Act shall become inoperative, and to fix the effective date hereof.

Local Legislation.

Notice and Proof H. 617:

NOTICE OF LOCAL BILL

Notice is hereby given that at the present session of the Legislature of Alabama a Local Bill affecting Winston County will be introduced and will provide substantially as follows.

The sheriff of Winston County, with the advice and consent of the governing body of Winston County, will be permitted to appoint three deputies, to hold office at the pleasure of the sheriff, one of which deputies shall reside in and be assigned to performance of duties in Precinct 3, another will reside and be assigned to performance of duties in Precinct 5, and the third will reside and be assigned to performance of duties in Precinct 7, but said assignments shall not preclude these deputies from performing other and additional duties for the sheriff in other parts of the county.

The deputies so appointed shall perform those duties imposed by the General Laws of Alabama upon a deputy sheriff, and each is required to give a bond in the sum and in the manner as may be provided by law for a deputy sheriff.

The salary of each deputy sheriff shall not exceed \$900.00 a year to be paid in equal monthly installments from the general funds of the county, and shall be fixed by the governing body of said county, and may be reduced or discontinued at their pleasure.

General funds of the county shall be reimbursed in whole or in part from fines, forfeitures, solicitor's fees and county court fees imposed by any court of competent jurisdiction within Winston County arising from offenses committed in Precincts 3, 5 or 7 of Winston County and required under the general laws of Alabama to be paid into the fine and forfeiture fund or general fund of the county.

If the income provided in said bill should fail to reimburse the county for salaries paid out, and should the sheriff fail to make up any deficit during any period of twelve months, then the act shall become inoperative. The income is to be credited with the surplus paid in during any preceding twelve months. The purpose is to keep the offices of the deputies sheriff from being any burden on the county treasury.

If any section or provision of the act is declared void, then the whole act shall fail, and the act takes effect on the first day of the month succeeding its approval by the Governor.

6-12-4c

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY.

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for Four consecutive weeks, the first copy of said notice appearing in the issue of said paper published in the 12 day of June, 1947, and the last copy of said publication appearing in the said paper on the 3 day of July 1947.

JAY THORNTON.

Sworn and subscribed to before me this 7 day of July, 1947

SARAH ELOUISE MULLINS,

(SEAL)

Notary Public.

By Mr. Wood (Washington):

H. 618. To Amend Section 93 of Title 8 of the Code of Alabama of 1940.

Conservation.

BILLS ON THIRD READING

H. 500. To Provide for a Deputy Clerk of the Circuit Court of Calhoun County, and to fix his powers, duties and compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Years 66; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|---------------------|
| Mr. Speaker | Dyar | McClendon | Sellers |
| Adams (Dale) | Faulk | McDonald | Snodgrass |
| Adams (Jefferson) | Ganey | McGowin | Stewart |
| Benford | George | Martin | Stone |
| Bennett | Gillis | Mason | Taylor (Autauga) |
| Black | Hankins | Meeks | Taylor (Hale) |
| Brassell | Harris | Miller | Thagard |
| Broadwater | Harrison | Molette | Thomas |
| Brown | Haynes (Lowndes) | Nelson | Thompson (Crenshaw) |
| Buckner | Head | Norman | Tucker |
| Bush | Hornsby | O'Neal | Wallace |
| Callahan | Howell | Pinkston | Ward |
| Coburn | Ingalls | Pinson | Weaver |
| Davis | Inzer | Ramey | White (Covington) |
| Denton | Johnston | Richardson | Wood (Bibb) |
| Dobbs (Elmore) | Larkins | Roberts | |
| Duffee | Leonard | Robinson | |

—66

And the bill:

H. 498. To Place the Sheriff of Calhoun County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Calhoun County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Calhoun County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Duffee | McClendon | Sellers |
| Adams (Dale) | Dyar | McDanal | Shelton |
| Adams (Jefferson) | Ganey | McDonald | Stewart |
| Benford | George | McGowin | Stone |
| Bennett | Gillis | Martin | Thagard |
| Black | Hankins | Meeks | Thomas |
| Brassell | Harris | Miller | Thompson (Crenshaw) |
| Broadwater | Harrison | Molette | Tucker |
| Brown | Haynes (Franklin) | Nelson | Vann |
| Buckner | Haynes (Lowndes) | Pinkston | Wallace |
| Bush | Head | Pinson | Ward |
| Callahan | Howell | Ramey | Weaver |
| Coburn | Johnston | Richardson | White (Covington) |
| Davis | Kaul | Roberts | Wood (Bibb) |
| Denton | Knight | Robinson | |
| Dobbs (Elmore) | Larkins | | |

—61

And the bill:

H. 499. To Create a Purchasing Agent for Calhoun County, Alabama, to be composed of the Chairman of the Calhoun County Commission of said County, whose duty shall be to purchase books, stationery, blanks, machinery, supplies, materials, appliances and equipment for the several county offices, jails, court houses and other public buildings of said county under the supervision and control of the Calhoun County Commission; also the public roads and bridges of said County, and to define the powers and duties of said Purchasing Agent, and to fix his salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|-------------------|-----------|------------|---------------------|
| Mr. Speaker | Dyar | McDonald | Shelton |
| Adams (Dale) | Faulk | McGowin | Snodgrass |
| Adams (Jefferson) | Ganey | Malone | Stewart |
| Benford | George | Martin | Stone |
| Bennett | Gillis | Mason | Taylor (Autauga) |
| Black | Hankins | Meeks | Taylor (Hale) |
| Broadwater | Harris | Miller | Thagard |
| Brown | Harrison | Molette | Thomas |
| Buckner | Head | Nelson | Thompson (Crenshaw) |
| Bush | Hornsby | O'Neal | Tucker |
| Callahan | Howell | Pinkston | Vann |
| Coburn | Johnston | Pinson | Wallace |
| Davis | Knight | Richardson | Ward |
| Denton | Larkins | Roberts | Weaver |
| Dobbs (Elmore) | Leonard | Robinson | White (Covington) |
| Duffee | McClendon | Sellers | |

—63

And the bill:

S. 195. To provide for clerical assistants, and other expenses, of the Judge of Probate, Tax Collector, and Tax Assessor of Calhoun County, and to provide for the payment of the salaries of clerks, deputies, and clerical assistants in said offices out of the County Treasury of Calhoun County.

Was read a third time at length and passed.

Yeas 64; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dyar | McDonald | Sightler |
| Adams (Dale) | Ganey | Martin | Snodgrass |
| Adams (Jefferson) | George | Mason | Stewart |
| Benford | Gillis | Meeks | Still |
| Bennett | Hankins | Miller | Stone |
| Black | Harris | Molette | Taylor (Hale) |
| Brannan | Harrison | Nelson | Thomas |
| Broadwater | Haynes (Franklin) | O'Neal | Thompson (Crenshaw) |
| Brown | Head | Pinkston | Tucker |
| Buckner | Hornsby | Pinson | Vann |
| Bush | Howell | Ramey | Wallace |
| Callahan | Knight | Richardson | Ward |
| Coburn | Larkins | Roberts | Weaver |
| Davis | Leonard | Shelton | White (Covington) |
| Denton | McClendon | Shirley | Wood (Bibb) |
| Dobbs (Elmore) | McDanal | | |
| Duffee | | | |

—64

And the bill:

S. 95. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dyar | McDanal | Sellers |
| Adams (Dale) | Ganey | McDonald | Shelton |
| Adams (Jefferson) | George | Malone | Shirley |
| Benford | Gillis | Martin | Snodgrass |
| Black | Hankins | Mason | Stewart |
| Brannan | Harris | Meeks | Taylor (Autauga) |
| Brassell | Harrison | Merrill | Taylor (Hale) |
| Broadwater | Haynes (Franklin) | Miller | Thagard |
| Brown | Head | Molette | Thomas |
| Buckner | Hornsby | Nelson | Thompson (Crenshaw) |
| Busby | Howell | O'Neal | Tucker |
| Bush | Inzer | Pinkston | Vann |
| Callahan | Johnston | Finson | Wallace |
| Coburn | Knight | Ramey | Ward |
| Davis | Larkins | Richardson | Weaver |
| Denton | Leonard | Roberts | White (Covington) |
| Dobbs (Elmore) | McClendon | Robinson | |
| Duffee | | | |

—68

And the bill:

H. 568. To promote and improve in Cullman County, Alabama, the enforcement of the criminal laws of the State of Alabama, by requiring the County Solicitor of Cullman County to represent the State of Alabama in all misdemeanor cases before any Magistrate of Cullman County, having county wide criminal jurisdiction, to fix his compensation for the performance of such additional duties and provide the mode of making claim, fixing the status of such claim and the manner of payment of such compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | McGowin | Shirley |
| Adams (Dale) | Ganey | McIlwain | Sightler |
| Adams (Jefferson) | George | Malone | Snodgrass |
| Benford | Gibson | Martin | Stewart |
| Bennett | Gillis | Mason | Still |
| Black | Givhan | Mathison | Taylor (Autauga) |
| Brassell | Hankins | Meeks | Taylor (Hale) |
| Broadwater | Harris | Miller | Thomas |
| Brown | Harrison | Molette | Thomp- |
| Buckner | Haynes (Franklin) | Nelson | son (Crenshaw) |
| Busby | Head | Nettles | Thompson (Pike) |
| Bush | Howell | O'Neal | Tucker |
| Callahan | Knight | Pinkston | Vann |
| Coburn | Larkins | Pinson | Wallace |
| Davis | Leonard | Richardson | Ward |
| Denton | McClendon | Roberts | Weaver |
| Dobbs (Elmore) | McDanal | Sellers | White (Covington) |
| Duffee | McDonald | Shelton | |

—70

BILL INDEFINITELY POSTPONED

On motion of Mr. Bennett, the bill, H. 355, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 464. To authorize and empower the Clerk of the Circuit Court of Escambia County, Alabama, to act as magistrate in taking affidavits for warrants for the arrest of persons charged with crimes in that county and to issue warrants of arrest based thereon, such warrants of arrest to be returnable to the Courts in said County having jurisdiction of the offense; to fix the fees for taking such affidavits, issuing such warrants and acting as such magistrate, and to provide that the same shall be taxed and collected as part of the costs in the case.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | McDanal | Sellers |
| Adams (Dale) | Duffee | McDonald | Shelton |
| Adams (Jefferson) | Dyar | McGowin | Shirley |
| Barnett | Faulk | Malone | Snodgrass |
| Benford | George | Martin | Stewart |
| Bennett | Gibson | Mason | Taylor (Autauga) |
| Black | Givhan | Mathison | Taylor (Hale) |
| Brannan | Hankins | Meeks | Thagard |
| Brassell | Harris | Miller | Thomas |
| Broadwater | Harrison | Molette | Thomp- |
| Brown | Haynes (Franklin) | Nelson | son (Crenshaw) |
| Buckner | Head | Nettles | Thompson (Pike) |
| Busby | Howell | O'Neal | Tucker |
| Bush | Knight | Pinson | Wallace |
| Callahan | Larkins | Ramey | Ward |
| Coburn | Leonard | Richardson | Weaver |
| Cox | Lovelace | Roberts | White (Covington) |
| Crocker | McClendon | Robinson | Wood (Bibb) |
| Davis | | | |

—72

And the bill:

H. 572. To create and establish an inferior court in Clarke County, Alabama to be known as the Inferior Court of Clarke County; to define its jurisdiction; to fix its terms; to provide for its officers; to define their powers, duties and authority; to fix their compensation; and to provide for the rules of procedure and the operation of said court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

| | | | |
|----------------|-----------|------------|-------------------|
| Mr. Speaker | Dyar | Malone | Shirley |
| Adams (Dale) | Faulk | Martin | Stewart |
| Barnett | Ganey | Mason | Still |
| Benford | George | Mathison | Stone |
| Bennett | Gibson | Meeks | Taylor (Hale) |
| Black | Gillis | Merrill | Thagard |
| Brannan | Givhan | Miller | Thomas |
| Brassell | Hankins | Molette | Thomp- |
| Broadwater | Harris | Nelson | son (Crenshaw) |
| Buckner | Head | Pinson | Thompson (Pike) |
| Busby | Howell | Ramey | Tucker |
| Bush | Knight | Richardson | Vann |
| Callahan | Larkins | Roberts | Ward |
| Coburn | Leonard | Robinson | Weaver |
| Davis | McClendon | Rogers | White (Covington) |
| Dobbs (Elmore) | McDonald | Sellers | Wood (Bibb) |
| Duffee | McGowin | Shelton | |

—66

And the bill:

H. 573. To abolish the county court in Clarke County, Alabama; to provide for the transfer of all causes pending in said

court to the inferior court of Clarke County; and to provide for the disposition of all unsatisfied judgments, executions, and forfeitures in said court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Davis | McClendon | Shirley |
| Adams (Dale) | Duffee | McDanal | Stewart |
| Adams (Jefferson) | Dyar | McDonald | Still |
| Barnett | Faulk | McGowin | Stone |
| Benford | Ganey | Malone | Taylor (Autauga) |
| Bennett | George | Mason | Taylor (Hale) |
| Black | Gibson | Merrill | Thagard |
| Brannan | Gillis | Miller | Thomas |
| Brassell | Givhan | Nelson | Thomp- |
| Broadwater | Hankins | O'Neal | son (Crenshaw) |
| Brown | Harris | Pinson | Thompson (Pike) |
| Buckner | Harrison | Ramey | Tucker |
| Busby | Haynes (Franklin) | Roberts | Vann |
| Bush | Howell | Robinson | Wallace |
| Callahan | Knight | Rogers | Ward |
| Coburn | Larkins | Sellers | Weaver |
| Cox | Leonard | Shelton | White (Covington) |

—67

And the bill:

S. 83. To repeal an Act to provide for the establishment, discontinuance, construction, use, working, maintaining and location of the public roads and bridges in Cleburne County, Alabama: To provide for the appointment of a Road Supervisor in and for said County and to prescribe his qualifications, duties, and to fix his salary and provide for the method of his election or appointment, approved August 22, 1927.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|-----------|
| Mr. Speaker | Coburn | Harrison | Meeks |
| Adams (Dale) | Cox | Haynes (Franklin) | Merrill |
| Adams (Jefferson) | Crocker | Head | Miller |
| Barnett | Davis | Howell | Nelson |
| Benford | Dobbs (E. more) | Johnston | Nettles |
| Bennett | Duffee | Kaul | O'Neal |
| Black | Dyar | Knight | Pinson |
| Brannan | Faulk | Larkins | Ramey |
| Brassell | Ganey | Leonard | Roberts |
| Broadwater | George | McClendon | Robinson |
| Brown | Gibson | McDanal | Rogers |
| Buckner | Gillis | McDonald | Shelton |
| Busby | Givhan | Malone | Shirley |
| Bush | Hankins | Martin | Snodgrass |
| Callahan | Harris | Mason | Stewart |

| | | | |
|------------------|-----------------|---------|-------------------|
| Still | Thagard | Tucker | Weaver |
| Stone | Thomas | Vann | White (Covington) |
| Sullivan | Thomp- | Wallace | Wood (Bibb) |
| Taylor (Autauga) | son (Crenshaw) | Ward | Wood (Washington) |
| Taylor (Hale) | Thompson (Pike) | | |

—77

And the bill:

S. 224. To repeal an Act providing for the payment of salaries of the members of the Court of County Commissioners of Cleburne County, Alabama,—Approved Feb. 24, 1937.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | McDonald | Snodgrass |
| Adams (Dale) | Duffee | Malone | Stewart |
| Adams (Jefferson) | Dyar | Martin | Still |
| Barnett | Faulk | Mason | Stone |
| Benford | Ganey | Merrill | Taylor (Autauga) |
| Bennett | George | Miller | Taylor (Hale) |
| Black | Gibson | Molette | Thagard |
| Brannan | Gillis | Nelson | Thomas |
| Brassell | Givhan | Nettles | Thomp- |
| Broadwater | Hankins | O'Neal | son (Crenshaw) |
| Brown | Harrison | Pinson | Thompson (Pike) |
| Buckner | Haynes (Franklin) | Ramey | Tucker |
| Busby | Haynes (Lowndes) | Richardson | Vann |
| Bush | Head | Roberts | Wallace |
| Callahan | Howell | Robinson | Ward |
| Coburn | Kaul | Rogers | Weaver |
| Cox | Knight | Sellers | White (Covington) |
| Crocker | Larkins | Shelton | Wood (Bibb) |
| Davis | Leonard | Shirley | Wood (Washington) |
| Denton | McClendon | | |

—77

And the bill:

H. 512. To amend Local Act No. 334 of the 1945 regular session of the Legislature of Alabama (Local Acts 1945, page 144, et sequitur), and to give retrospective operation to one or more amendments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|-------------------|----------------|-------------------|-----------|
| Mr. Speaker | Bush | Ganey | Larkins |
| Adams (Dale) | Callahan | George | McClendon |
| Adams (Jefferson) | Coburn | Gibson | McDonald |
| Barnett | Cox | Hankins | Malone |
| Benford | Crocker | Harris | Martin |
| Bennett | Davis | Harrison | Mason |
| Black | Denton | Haynes (Franklin) | Meeks |
| Brannan | Dobbs (Elmore) | Haynes (Lowndes) | Merrill |
| Brassell | Duffee | Head | Miller |
| Broadwater | Dumas | Hornsby | Molette |
| Buckner | Dyar | Howell | Nelson |
| Busby | Faulk | Knight | Pinson |

| | | | |
|----------------|------------------|-----------------|-------------------|
| Ramey | Shelton | Taylor (Hale) | Vann |
| Richardson | Shirley | Thomas | Wallace |
| Roberts | Stewart | Thomp- | Ward |
| Robinson | Still | son (Crenshaw) | Weaver |
| Rogers | Stone | Thompson (Pike) | White (Covington) |
| Sadler | Taylor (Autauga) | Tucker | Wood (Bibb) |
| Sellers | | | |

—72

And the bill:

S. 223. To amend section 3 of the act establishing the Intermediate Civil Court of Birmingham, approved September 7, 1935 (Local Acts of Alabama, page 219).

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------------|-------------------|
| Mr. Speaker | Duffee | McDanal | Snodgrass |
| Adams (Dale) | Dumas | McDonald | Stewart |
| Adams (Jefferson) | Dyar | Martin | Still |
| Barnett | Ganey | Mason | Stone |
| Benford | George | Meeks | Sullivan |
| Bennett | Gibson | Merrill | Taylor (Autauga) |
| Black | Gillis | Miller | Taylor (Hale) |
| Brannan | Givhan | Molette | Thomas |
| Brassell | Hankins | Nelson | Thomp- |
| Broadwater | Harris | Nettles | son (Crenshaw) |
| Busby | Harrison | O'Neal | Thompson (Pike) |
| Callahan | Haynes (Franklin) | Ramey | Tucker |
| Coburn | Haynes (Lowndes) | Richardson | Vann |
| Cox | Hornsby | Roberts | Wallace |
| Crocker | Howell | Robinson | Ward |
| Davis | Inzer | Rogers | Weaver |
| Denton | Larkins | Shelton | White (Covington) |
| Dobbs (Elmore) | McClendon | Shirley | Wood (Bibb) |

—71

And the bill:

H. 557. To amend Section 1 of an act approved May 20, 1943, entitled "An Act to allow the Sheriff of Lauderdale County, Alabama, an additional Deputy Sheriff to that provided by law; to fix the salary of said Deputy and to make the same payable out of the general funds of Lauderdale County, Alabama, in monthly installments."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|--------------|------------|----------------|------------------|
| Mr. Speaker | Brown | Dobbs (Elmore) | Givhan |
| Adams (Dale) | Busby | Duffee | Hankins |
| Barnett | Callahan | Dumas | Harrison |
| Benford | Coburn | Dyar | Haynes (Lowndes) |
| Bennett | Cox | Ganey | Hornsby |
| Black | Crocker | George | Howell |
| Brannan | Davis | Gibson | Kaul |
| Brassell | Denton | Gillis | Larkins |

| | | | |
|----------|------------|---------------------|-------------------|
| Leonard | Nelson | Sellers | Thompson (Pike) |
| McDonald | Nettles | Shirley | Tucker |
| Malone | O'Neal | Snodgrass | Vann |
| Martin | Ramey | Stone | Wallace |
| Mason | Richardson | Taylor (Hale) | Ward |
| Merrill | Roberts | Thomas | Weaver |
| Miller | Robinson | Thompson (Crenshaw) | White (Covington) |
| Molette | Rogers | | Wood (Bibb) |

—63

And the bill:

H. 558. To authorize the Court of County Commissioners of Lauderdale County, Alabama, to expend moneys from the general fund of the County for the purpose of holding referendum elections.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-----------------|
| Mr. Speaker | Duffee | Leonard | Sellers |
| Adams (Dale) | Dumas | McDonald | Shelton |
| Adams (Jefferson) | Dyar | Malone | Shirley |
| Barnett | Faulk | Martin | Snodgrass |
| Benford | Ganey | Mason | Stewart |
| Black | George | Mathison | Stone |
| Brannan | Gibson | Merrill | Sullivan |
| Brassell | Gillis | Miller | Taylor (Hale) |
| Broadwater | Givhan | Molette | Thagard |
| Brown | Hankins | Nelson | Thomas |
| Busby | Harris | Nettles | Thompson |
| Callahan | Harrison | O'Neal | son (Crenshaw) |
| Coburn | Haynes (Lowndes) | Pinkston | Thompson (Pike) |
| Cox | Hornsby | Ramey | Tucker |
| Crocker | Howell | Richardson | Vann |
| Davis | Ingalls | Roberts | Wallace |
| Denton | Kaul | Robinson | Ward |
| Dobbs (Elmore) | Larkins | Rogers | Weaver |

—71

And the bill:

S. 211. To change the method of compensating the Sheriff of Limestone County; placing such officer on a salary; and providing for the operation of his office on a salary basis.

Was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

| | | | |
|-------------------|------------|----------------|-------------------|
| Mr. Speaker | Broadwater | Dobbs (Elmore) | Harrison |
| Adams (Dale) | Brown | Duffee | Haynes (Franklin) |
| Adams (Jefferson) | Buckner | Dumas | Haynes (Lowndes) |
| Barnett | Busby | Dyar | Hornsby |
| Benford | Coburn | Faulk | Howell |
| Bennett | Cox | Ganey | Inzer |
| Black | Crocker | George | Kaul |
| Brannan | Davis | Givhan | Larkins |
| Brassell | Denton | Hankins | Leonard |

| | | | |
|-----------|------------|------------------|---------------------|
| McClendon | Molette | Rogers | Thompson (Crenshaw) |
| McDanal | Nelson | Shelton | Thompson (Pike) |
| McDonald | Nettles | Shirley | Tucker |
| McGowin | O'Neal | Snodgrass | Vann |
| Martin | Pinkston | Stewart | Wallace |
| Mason | Ramey | Sullivan | Ward |
| Mathison | Richardson | Taylor (Autauga) | Weaver |
| Merrill | Roberts | Thagard | White (Covington) |
| Miller | Robinson | Thomas | Wood (Bibb) |

—72

And the bill:

S. 210. To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dobbs (Elmore) | McDanal | Shirley |
| Adams (Dale) | Duffee | McDonald | Sightler |
| Adams (Jefferson) | Dumas | Martin | Snodgrass |
| Benford | Dyar | Mason | Stewart |
| Bennett | Ganey | Mathison | Taylor (Autauga) |
| Black | George | Merrill | Thagard |
| Brannan | Gibson | Miller | Thomas |
| Brassell | Givhan | Molette | Thompson (Crenshaw) |
| Broadwater | Hankins | Nelson | Thompson (Pike) |
| Brown | Harrison | O'Neal | Tucker |
| Buckner | Haynes (Franklin) | Pinkston | Vann |
| Busby | Haynes (Lowndes) | Ramey | Wallace |
| Callahan | Hornsby | Richardson | Ward |
| Coburn | Howell | Roberts | Weaver |
| Cox | Ingalls | Robinson | White (Covington) |
| Crocker | Inzer | Sellers | Wood (Bibb) |
| Davis | Larkins | Shelton | |
| Denton | | | |

—68

And the bill:

H. 571. Relating to Sumter County; creating a Board of Commissioners of Sumter County in lieu of the Board of Revenue, which is hereby abolished; prescribing the election, terms of office, qualifications, and powers of the members of the Board of Commissioners; defining and regulating the jurisdiction, powers, and duties of the Board of Commissioners in general and in respect to the construction and maintenance of roads and bridges; and the acquisition of personal property.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|--------------|---------|------------|----------|
| Mr. Speaker | Benford | Brannan | Brown |
| Adams (Dale) | Bennett | Brassell | Busby |
| Barnett | Black | Broadwater | Callahan |

| | | | |
|----------------|-------------------|------------|---------------------|
| Coburn | Hankins | Molette | Stewart |
| Cox | Harrison | Nelson | Taylor (Hale) |
| Crocker | Haynes (Franklin) | Nettles | Thomas |
| Davis | Haynes (Lowndes) | O'Neal | Thompson (Crenshaw) |
| Denton | Howell | Pruitt | Thompson (Pike) |
| Dobbs (Elmore) | Inzer | Ramey | Tucker |
| Duffee | Kaul | Richardson | Vann |
| Dyar | Larkins | Roberts | Wallace |
| Faulk | Leonard | Robinson | Weaver |
| Ganey | McDanal | Rogers | White (Covington) |
| George | Mathison | Sellers | Wood (Bibb) |
| Gibson | Merrill | Shelton | |
| Givhan | Miller | Shirley | |

—62

And the bill:

H. 532. To further regulate, define, and fix the duties of the members of the commission board in all cities of this State which have a population exceeding 26,000 inhabitants and not exceeding 36,000 inhabitants according to the latest Federal Decennial Census or which shall hereafter have such number of inhabitants according to any such subsequent Federal Census that may be taken hereafter; and which operates under a Commission board and whose commissioners do not serve on a full-time basis; and to regulate and fix the salaries of such commissioners and provide for the payment of the same; and to provide an effective date for this act; and to repeal all laws and parts of laws, local, special or general in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|---------------------|
| Mr. Speaker | Faulk | Malone | Sightler |
| Adams (Dale) | Ganey | Martin | Snodgrass |
| Benford | George | Mason | Stewart |
| Bennett | Givhan | Mathison | Taylor (Autauga) |
| Black | Harris | Merrill | Taylor (Hale) |
| Brannan | Harrison | Miller | Thagard |
| Brassell | Haynes (Franklin) | Molette | Thomas |
| Broadwater | Haynes (Lowndes) | Nelson | Thompson (Crenshaw) |
| Buckner | Hornsby | Nettles | Thompson (Pike) |
| Busby | Howell | O'Neal | Tucker |
| Bush | Inzer | Pinkston | Vann |
| Callahan | Kaul | Pinson | Wallace |
| Coburn | Knight | Ramey | Ward |
| Cox | Larkins | Richardson | Weaver |
| Davis | Leonard | Roberts | White (Covington) |
| Denton | McClendon | Sellers | White (Perry) |
| Dobbs (Elmore) | McDanal | Shelton | Wood (Bibb) |
| Duffee | McDonald | Shirley | |
| Dyar | McGowin | | |

—73

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENGROSSED AND ENROLLED BILLS.

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House bills, to-wit:

H. 127. To amend Section 414 of Title 17 of the 1940 Code of Alabama, which relates to meetings of political parties for the purpose of nominating candidates for public office and selecting delegates, representatives, and officers, by providing that such meetings shall be held the first Tuesday in May in even-numbered years.

Also:

H. 482. To Alter or rearrange the boundary lines of the City of Phenix City, Alabama, so as to include within the corporate limits of said City territory not already included therein. And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESIGNATIONS FROM STANDING COMMITTEES

Hon. Wallace Gibson tendered his resignation in writing as Vice-Chairman and a member of the Standing Committee on Judiciary.

Hon. W. H. Sadler, Jr. tendered his resignation in writing as a member of the Standing Committee on Transportation.

APPOINTMENTS TO STANDING COMMITTEES

Hon. W. H. Sadler, Jr. was appointed by the Speaker as a member of the Standing Committee on Judiciary succeeding Hon. Wallace Gibson, resigned.

Hon. Pelham J. Merrill was appointed by the Speaker as Vice-Chairman of the Standing Committee on Judiciary, succeeding Hon. Wallace Gibson, resigned.

Hon. W. E. Dyar was appointed by the Speaker as a member of the Standing Committee on Transportation, succeeding Hon. W. H. Sadler, Jr., resigned.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Mize:

S. 241. To submit to the qualified electors of the State of Alabama at an election to be held on the First Tuesday after the expiration of three months after the final adjournment of the Regular Session of the 1947 Legislature for their consideration an amendment to the Constitution of Alabama for the purpose of levying and collecting in the City of Tuscaloosa and in the several school districts of Tuscaloosa County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes and providing for the issuance of bonds arising from the funds of said special school tax for the construction and improvement of public school buildings and acquiring sites therefor.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, S. 241, the title to which is set out in the above and foregoing message from the Senate, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 409. To fix the salaries of the Chief Clerk employed in the Office of the Probate Judge in all counties of the State of Alabama which now have, or which may hereafter have, a population of not less than 75,000 and not more than 113,000 according to the last Federal census or any such Federal census which may be hereafter taken.

Also:

H. 19. To amend Section 6 of the Act entitled "An Act, To regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of

this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment.", approved June 23, 1945.

Also:

H. 20. To amend Section 4 of the Act entitled "An Act, To create a Bureau of Rates of the Department of Commerce; to regulate the making and applying of rates for fire, inland marine, casualty, and any lines incidental to these various classes, and the approval or disapproval of rates or rating systems, the intent being to include the rate making of all rates, except life and health and accident, of all companies authorized to do business in the State of Alabama; and provide for the officers and employees thereof and their compensation, powers, functions, and duties; to entrust the administration of this Act to said department; and to make an appropriation for the administration of this Act.", approved June 16, 1945.

Also:

H. 209. To amend Section 605 of Title 51 of the 1940 Code, which relates to licenses on businesses, vocations, and occupations.

Also:

H. 233. To amend Section 499, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Also:

H. 31. To amend Section 198 of Title 17 of the 1940 Code of Alabama, which provides for the compensation of election officers.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

By Messrs. Head and Wood (of Bibb):

H. 115. To amend Section 247 of title 29, of the 1940 Code of Alabama pertaining to the seizure and forfeiture of conveyances and vehicles transporting prohibited liquors and beverages.

By a majority of the whole number elected to the Senate, said vote being: Yeas 25 Nay 1.

And said bill, H. 115, as amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to

the Senate, said vote being: Yeas 26, Nays 0.

And said bill, H. 115, together with the amendment proposed by His Excellency, the Governor, is herewith returned to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

By Messrs. Barnett and Rogers:

H. 278. An Act to enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama.

By a majority of the whole number elected to the Senate, said vote being: Yeas 26 Nays 0

And said bill, H. 278, as amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 27, Nays 0.

And said bill, H. 278, together with the amendment proposed by His Excellency, the Governor, is herewith returned to the House.

J. E. Speight,
Secretary.

RECESS

On motion of Mr. Harris the House recessed until 2 o'clock this afternoon.

AFTERNOON SESSION

The hour of two o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 92. To amend Section 221 of Title 7 of the 1940 Code of Alabama.

And the President and presiding officer of the Senate appointed as committee on part of the Senate: Messrs. Langan, Hooton and Perry, and said bill is herewith returned to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Allen:

S.J.R. 27. BE IT RESOLVED by the Senate, the House concurring, that Senate Bill 76 be known as the Bridges, Boutwell, Allen, Henderson and Lowe Bill.

BE IT FURTHER RESOLVED by the Senate, the House concurring that Senate Bill 77 be known as the Bridges, Boutwell, Allen, Henderson and Lowe bill.

J. E. Speight,
Secretary.

SENATE MESSAGE

The S.J.R. 27 set out in the above and foregoing message from the Senate, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 66. To Amend Section 718, Title 51, Article 9, Chapter 20, Code of Alabama 1940, as amended by Act No. 326, approved July 1, 1945, General Acts 1945, page 528.

Was taken up.

The motion of Mr. Taylor (Hale) to indefinitely postpone the bill, H. 66, was lost.

Yeas 29; Nays 60.

Yeas:

| | | | |
|----------------|------------------|------------|------------------|
| Messrs.: | Harrison | Martin | Stewart |
| Crocker | Haynes (Lowndes) | Mason | Still |
| Dobbs (Elmore) | Ingalls | Norman | Stone |
| Doughty | Johnston | Ramey | Sullivan |
| Dumas | McClendon | Richardson | Taylor (Autauga) |
| Faulk | McDanal | Robinson | Taylor (Hale) |
| Gibson | McIlwain | Sadler | Wood (Bibb) |
| Gillis | Malone | | |

—29

Nays:

| | | | |
|-------------------|------------|---------|-------------------|
| Mr. Speaker | Brannan | Cox | Hankins |
| Adams (Dale) | Brassell | Davis | Harris |
| Adams (Jefferson) | Broadwater | Denton | Haynes (Franklin) |
| Barnett | Brown | Duffee | Head |
| Beatty | Buckner | Dyar | Howell |
| Benford | Busby | Ganey | Inzer |
| Bennett | Bush | Garrett | Kaul |
| Black | Callahan | George | Knight |

| | | | |
|----------|----------|---------------------|-------------------|
| Larkins | Molette | Shelton | Thompson (Pike) |
| Leonard | Nelson | Shirley | Tucker |
| Lovelace | O'Neal | Sightler | Vann |
| McGowin | Pinkston | Snodgrass | Wallace |
| Meeks | Roberts | Thagard | Ward |
| Merrill | Rogers | Thompson (Crenshaw) | Weaver |
| Miller | Sellers | | White (Covington) |
| Mitchell | | | |

—60

And said bill, H. 66, was read a third time at length and passed, and ordered forthwith to the Senate without engrossment.

Yeas 57; Nays 28.

Yeas:

| | | | |
|-------------------|-------------------|----------|---------------------|
| Mr. Speaker | Callahan | Knight | Shelton |
| Adams (Dale) | Cox | Larkins | Shirley |
| Adams (Jefferson) | Davis | Leonard | Sightler |
| Barnett | Denton | Lovelace | Snodgrass |
| Beatty | Dumas | McGowin | Thagard |
| Benford | Dyar | Meeks | Thompson (Crenshaw) |
| Bennett | Ganey | Merrill | Thompson (Pike) |
| Black | Garrett | Miller | Tucker |
| Brannan | George | Mitchell | Vann |
| Brassell | Harris | Nelson | Wallace |
| Broadwater | Haynes (Franklin) | O'Neal | Ward |
| Brown | Head | Pinkston | Weaver |
| Buckner | Howell | Roberts | White (Covington) |
| Busby | Inzer | Sellers | |
| Bush | Kaul | | |

—57

Nays:

| | | | |
|----------------|------------------|------------|------------------|
| Messrs.: | Haynes (Lowndes) | Mason | Stewart |
| Crocker | Ingalls | Norman | Still |
| Dobbs (Elmore) | Johnston | Ramey | Stone |
| Duffee | McClendon | Richardson | Sullivan |
| Faulk | McDanal | Robinson | Taylor (Autauga) |
| Gibson | McIlwain | Rogers | Taylor (Hale) |
| Gillis | Malone | Sadler | Wood (Bibb) |
| Harrison | | | |

—28

And the bill:

(With substitute):

H. 68. To Amend Section 755 of Title 51, Article 10, Chapter 20, Code of Alabama 1940, as amended by Act No. 471, Approved July 10, 1943, And Reported In Acts 1943, Page 435.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To Amend Section 755 of Title 51, Article 10, Chapter 20, Code of Alabama 1940, as amended by Act Number 471, Approved July 10, 1943, and Reported in Acts 1943, Page 435.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 755 of Title 51, Article 10, Chapter 20, Code of Alabama 1940, as amended by Act Number 471, approved July 10, 1943, and reported in Acts 1943, page 435, be and the same hereby is amended so as to read as follows:

Section 755. Exemptions.—There are however exempted from the provisions of this article and from the computation of the amount of the tax levied, assessed or payable under this article the following: (a) The gross proceeds of sales of tangible personal property or the gross receipts of any business which the state is prohibited from taxing under the constitution or laws of the United States of America or under the constitution of this state. (b) The gross proceeds of sales of tangible personal property to the State of Alabama, to the counties within the state, and to incorporated municipalities of the State of Alabama. (c) The gross proceeds of the sales of lubricating oil and gasoline as defined in sections 630 and 646 of this title which are otherwise taxed. (d) The gross proceeds of the sales of text books used in elementary schools, high schools and institutions of higher learning. (e) The gross proceeds of sales of alcoholic or cereal beverages, when sold by the State of Alabama. (f) The gross proceeds of sales of all livestock by whomsoever sold; and also the gross proceeds of poultry and other products of the farm, dairy, grove or garden, when in the original state of production or condition of preparation for sale, when such sale or sales are made by the producer or members of his immediate family or for him by those employed by him to assist in the production thereof. Nothing herein shall be construed to exempt or exclude from the measure or computation of the tax levied, assessed or payable hereunder, the gross proceeds of sales of poultry or poultry products when not products of the farm. (g) The gross proceeds of the sale, or sales, of fertilizer. The word "fertilizer" as used in this article shall not be construed to include cotton seed meal, when not in combination with other materials. (h) The gross proceeds of the sale, or sales, of seeds for planting purposes. Nothing herein shall be construed to exempt, or exclude from the computation of the tax levied, assessed or payable, the gross proceeds of the sale or sales of plants, seedlings, nursery stock or floral products. (i) The gross proceeds of the sale, or sales, of boxes, crates, bags, bagging, ties, barrels, or other containers and the labels thereof used in preparing agricultural products, dairy products, grove or garden products for market, including barrels and other containers and the labels thereof used in preparing turpentine gum, gum spirits of turpentine and gum rosin for market, when such boxes, crates, bags, bagging, ties, barrels and other containers and the labels thereof are to be sold or furnished by the seller of the products contained therein to the purchaser of such products. (j) The gross proceeds of the sale or sales of newsprint paper, newspapers and religious publications.

(k) The gross proceeds of the sale, or sales of coal or coke to manufacturers, electric power companies and transportation companies for use or consumption in the production of by-products, or the generation of heat or power used, in manufacturing tangible personal property for sale, for the generation of electric power or energy for use in manufacturing tangible personal property for sale or for resale, or for the generation of motive power for transportation. (l) The gross receipts from the business on which, or for engaging in which a license or privilege tax is levied by or under the provisions of sections 177-180, 182-184, and 186 of this title. Provided, however, that nothing contained in this subsection shall be construed to exempt or relieve the person or persons operating the business enumerated in said sections from the payments of the tax levied by this article upon or measured by the gross proceeds of sales of any tangible personal property (except gas and water, the gross receipts from the sale of which are the measure of the tax levied by said section 177) merchandise or other tangible commodities sold at retail by said persons, unless the gross proceeds of sale thereof are otherwise specifically exempted by the provisions of this article. (m) The gross proceeds of the sale or sales of railroad rails, railroad cars and vessels and barges of more than fifty tons burden, when sold by the manufacturers or builders thereof. (n) The gross proceeds of the sale or sales of lunches to school children when such sales are made within school buildings and are not for profit. (o) The gross proceeds of sales or gross receipts, of or by, any person, firm or corporation, from the sale of transportation, gas, water or electricity, of the kinds and natures, the rates and charges for which, when sold by public utilities, are customarily fixed and determined by the public service commission of Alabama or like regulatory bodies. (p) The gross proceeds of the sale of machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property; provided that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used. (q) The gross proceeds of sale or sales of fluid milk as is now or may hereafter be defined by law when such sale or sales are made by a distributor who has purchased such fluid milk or the milk processed into such fluid milk direct from the producer thereof. Provided, however, that the term "distributor" as used here shall not be construed to include hotels, restaurants, cafes, cafeterias, drug stores, grocery stores and other retail establishments where milk is served or sold for consumption on the premises or as an incident to the principal business. (r) The gross proceeds from the sale or sales of fuel and supplies for use or consumption aboard ships plying on the high

seas either in intercoastal trade between ports in the State of Alabama and ports in other states of the United States or its possessions or in foreign commerce between ports in the State of Alabama and ports in foreign countries. Provided, however, that nothing in this article shall be construed to exempt or exclude from the measure of the tax herein levied the gross proceeds of sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair or reconditioning of vessels, barges, ships and other water craft. (s) The gross proceeds of the sale or sales of wrapping paper, wrapping twine and paper bags.

Section 2. Should any subsection of this Act be held to be unconstitutional by any court of competent jurisdiction, it is the legislative intent such holding shall not affect the balance of this act.

Section 3. This Act shall become effective immediately upon its passage by the legislature and approval by the Governor, or upon its otherwise becoming a law.

And the substitute reported by the Standing Committee on Ways and Means was adopted.

Yeas 75; Nays 8.

Yeas:

| | | | |
|-------------------|-------------------|----------|---------------------|
| Mr. Speaker | Dobbs (Elmore) | Larkins | Sellers |
| Adams (Jefferson) | Doughty | Leonard | Shelton |
| Barnett | Duffee | Lovelace | Sightler |
| Beatty | Dumas | Malone | Snodgrass |
| Benford | Dyar | Martin | Stewart |
| Bennett | Garrett | Mason | Stone |
| Black | Gibson | Mathison | Sullivan |
| Brannan | Givhan | Meeks | Taylor (Hale) |
| Brassell | Hankins | Merrill | Thagard |
| Broadwater | Harris | Miller | Thomas |
| Brown | Harrison | Mitchell | Thompson (Crenshaw) |
| Buckner | Haynes (Franklin) | Nelson | Tucker |
| Busby | Head | O'Neal | Vann |
| Bush | Howell | Pinson | Wallace |
| Callahan | Ingalls | Ramey | Ward |
| Coburn | Inzer | Roberts | Weaver |
| Cox | Johnston | Robinson | White (Covington) |
| Davis | Kaul | Rogers | White (Perry) |
| Denton | Knight | Sadler | |

—75

Nays:

| | | | |
|--------------|------------------|------------|-------------|
| Messrs.: | George | McDonald | Still |
| Adams (Dale) | Haynes (Lowndes) | Richardson | Wood (Bibb) |
| Ganey | | | |

—8

Mr. Snodgrass offered the following amendment to the bill, H. 68, as amended:

AMENDMENT TO HOUSE BILL 68. By Mr. Snodgrass.

Amend Subsection (e) of House Bill 68 so as to read as follows: (e). The gross proceeds of sales of alcoholic or cereal beverages when sold at retail by the State of Alabama.

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|---------------------|
| Mr. Speaker | Duffee | Lovelace | Sadler |
| Adams (Dale) | Dumas | McIlwain | Sellers |
| Adams (Jefferson) | Dyar | Malone | Shelton |
| Barnett | Ganey | Martin | Sightler |
| Beatty | Garrett | Mason | Snodgrass |
| Benford | George | Mathison | Stewart |
| Bennett | Gibson | Meeks | Stone |
| Black | Givhan | Merrill | Taylor (Autauga) |
| Brannan | Hankins | Miller | Thagard |
| Brassell | Harris | Mitchell | Thomas |
| Broadwater | Haynes (Franklin) | Molette | Thompson (Crenshaw) |
| Brown | Haynes (Lowndes) | Nelson | Tucker |
| Buckner | Head | Norman | Vann |
| Bush | Howell | O'Neal | Wallace |
| Callahan | Ingalls | Pinkston | Ward |
| Coburn | Inzer | Pinson | Weaver |
| Cox | Kaul | Ramey | White (Covington) |
| Crocker | Knight | Roberts | White (Perry) |
| Davis | Larkins | Robinson | |
| Denton | Leonard | Rogers | |

—78

Mr. Wood (Bibb) offered the following amendment to the bill, H. 68, as amended:

By Mr. Wood of Bibb:

AMENDMENT TO SUBSTITUTE FOR HOUSE BILL NO. 68

Amend Section 755 as said section appears in Section 1 of the substitute for House Bill No. 68 by adding thereto Sub-section (t) to read as follows:

(t) The gross proceeds of sale or sales of used automotive vehicles.

The motion of Mr. Snodgrass to table the amendment offered by Mr. Wood (Bibb) was lost.

Yeas 30; Nays 63.

Yeas:

| | | | |
|-------------|----------|-----------|---------------------|
| Mr. Speaker | Howell | Miller | Thompson (Crenshaw) |
| Brassell | Inzer | Nelson | Vann |
| Brown | Knight | Nettles | Wallace |
| Buckner | Larkins | O'Neal | Ward |
| Davis | Leonard | Pinson | Weaver |
| Denton | McDonald | Roberts | White (Covington) |
| Hankins | McGowin | Shelton | |
| Head | Merrill | Snodgrass | |

—30

Nays:

| | | | |
|-------------------|-------------------|------------|-----------------|
| Messrs.: | Duffee | Kaul | Robinson |
| Adams (Dale) | Dumas | Lovelace | Sadler |
| Adams (Jefferson) | Dyar | McClendon | Sellers |
| Beatty | Faulk | McDanal | Shirley |
| Benford | Ganey | McIlwain | Sightler |
| Bennett | Garrett | Malone | Stewart |
| Black | George | Mason | Still |
| Brannan | Gibson | Mathison | Stone |
| Busby | Gillis | Meeks | Sullivan |
| Bush | Givhan | Mitchell | Taylor (Hale) |
| Callahan | Harris | Molette | Thagard |
| Coburn | Harrison | Norman | Thomas |
| Cox | Haynes (Franklin) | Pinkston | Thompson (Pike) |
| Crocker | Haynes (Lowndes) | Pruitt | Tucker |
| Dobbs (Elmore) | Ingalls | Ramey | White (Perry) |
| Doughty | Johnston | Richardson | Wood (Bibb) |

—63

And the amendment offered by Mr. Wood (Bibb) was adopted.

Yeas 77; Nays 14.

Yeas:

| | | | |
|-------------------|-------------------|------------|------------------|
| Messrs.: | Duffee | Lovelace | Robinson |
| Adams (Dale) | Dumas | McClendon | Rogers |
| Adams (Jefferson) | Dyar | McDanal | Sadler |
| Barnett | Faulk | McDonald | Sellers |
| Beatty | Ganey | McIlwain | Shelton |
| Benford | Garrett | Malone | Shirley |
| Bennett | George | Mason | Sightler |
| Black | Gibson | Mathison | Stewart |
| Brannan | Gillis | Meeks | Still |
| Broadwater | Givhan | Merrill | Stone |
| Buckner | Hankins | Miller | Sullivan |
| Busby | Harris | Mitchell | Taylor (Autauga) |
| Bush | Harrison | Molette | Taylor (Hale) |
| Callahan | Haynes (Franklin) | Norman | Thagard |
| Coburn | Haynes (Lowndes) | Pinkston | Thomas |
| Cox | Howell | Pinson | Tucker |
| Crocker | Ingalls | Pruitt | Vann |
| Davis | Johnston | Ramey | White (Perry) |
| Dobbs (Elmore) | Kaul | Richardson | Wood (Bibb) |
| Doughty | Larkins | | |

—77

Nays:

| | | | |
|-------------|---------|---------|----------------|
| Mr. Speaker | Inzer | Nettles | Thomp- |
| Brassell | Knight | O'Neal | son (Crenshaw) |
| Denton | McGowin | Roberts | Wallace |
| Head | Nelson | | Weaver |

—14

Messrs. Harris and Givhan offered the following amendment to the bill, H. 68, as amended:

By Harris and Givhan #1:

AN AMENDMENT TO SUBSTITUTE FOR H. 68

Amend Section 1 of substitute for H. 68 by striking out the period at the end of the first sentence in sub-section (h) of Section 755, Code of Alabama of 1940, as amended by such Section 1, and inserting in lieu thereof the following:

"and baby chicks and poults."

And the amendment was adopted.

Yeas 60; Nays 28.

Yeas:

| | | | |
|-------------------|-------------------|-----------|------------------|
| Mr. Speaker | Dobbs (Elmore) | Inzer | Norman |
| Adams (Dale) | Duffee | Knight | Ramey |
| Adams (Jefferson) | Dumas | Larkins | Richardson |
| Barnett | Dyar | Leonard | Robinson |
| Beatty | Faulk | McClendon | Rogers |
| Bennett | Gillis | McDanal | Sightler |
| Black | Givhan | McDonald | Stewart |
| Brannan | Hankins | McIlwain | Still |
| Brassell | Harris | Martin | Taylor (Autauga) |
| Broadwater | Harrison | Mason | Taylor (Hale) |
| Bush | Haynes (Franklin) | Mathison | Thagard |
| Callahan | Haynes (Lowndes) | Merrill | Thompson (Pike) |
| Coburn | Head | Mitchell | Vann |
| Davis | Hornsby | Molette | White (Perry) |
| Denton | Howell | Nettles | Wood (Bibb) |

—60

Nays:

| | | | |
|----------|----------|-----------|-------------------|
| Messrs.: | Gibson | Pinkston | Thomp- |
| Brown | Ingalls | Roberts | son (Crenshaw) |
| Buckner | Johnston | Sadler | Tucker |
| Busby | Lovelace | Snodgrass | Wallace |
| Crocker | McGowin | Stone | Ward |
| Ganey | Meeks | Sullivan | Weaver |
| Garrett | Milner | Thomas | White (Covington) |
| George | O'Neal | | |

—28

Messrs. Harris and Givhan offered the following amendment to the bill, H. 68, as amended:

By Harris and Givhan #2:

AN AMENDMENT TO SUBSTITUTE FOR H. 68

Amend Section 1 of substitute for H. 68 by striking out the period at the end of the first sentence in sub-section (g) of Section 755, Code of Alabama of 1940, as amended in such Section 1, and inserting in lieu thereof the following:

"and livestock feeds and poultry feeds."

On motion of Mr. Snodgrass the motion of Messrs. Harris and Givhan was laid upon the table.

Yeas 66; Nays 24.

Yeas:

| | | | |
|-------------------|-------------------|-----------|---------------------|
| Mr. Speaker | Dumas | Lovelace | Rogers |
| Adams (Jefferson) | Dyar | McClendon | Sadler |
| Barnett | Ganey | McDanal | Sellers |
| Beatty | Garrett | McGowin | Shelton |
| Benford | George | McIlwain | Snodgrass |
| Black | Gibson | Malone | Stone |
| Brannan | Hankins | Mason | Sullivan |
| Brassell | Haynes (Franklin) | Mathison | Thagard |
| Broadwater | Head | Merrill | Thomas |
| Brown | Howell | Miller | Thompson (Crenshaw) |
| Buckner | Ingalls | Mitchell | Tucker |
| Busby | Inzer | Nelson | Wallace |
| Bush | Johnston | Nettles | Ward |
| Coburn | Kaul | Norman | Weaver |
| Crocker | Knight | O'Neal | Wood (Washington) |
| Davis | Larkins | Pinkston | |
| Denton | Leonard | Roberts | |

—66

Nays:

| | | | |
|----------------|------------------|------------|------------------|
| Messrs.: | Givhan | Molette | Taylor (Autauga) |
| Adams (Dale) | Harris | Pinson | Taylor (Hale) |
| Bennett | Harrison | Ramey | Thompson (Pike) |
| Dobbs (Elmore) | Haynes (Lowndes) | Richardson | Vann |
| Doughty | McDonald | Robinson | White (Perry) |
| Faulk | Martin | Shirley | Wood (Bibb) |
| Gillis | | | |

—24

And said bill, H. 68, as thus amended, was read a third time at length and passed.

Yeas 69; Nays 24.

Yeas:

| | | | |
|-------------------|-------------------|----------|---------------------|
| Mr. Speaker | Denton | Lovelace | Sadler |
| Adams (Jefferson) | Duffee | McDanal | Sellers |
| Beatty | Dumas | McGowin | Sightler |
| Benford | Dyar | Malone | Snodgrass |
| Bennett | Faulk | Martin | Stewart |
| Black | Ganey | Mason | Taylor (Hale) |
| Brannan | Garrett | Meeks | Thagard |
| Brassell | George | Merrill | Thomas |
| Broadwater | Hankins | Miller | Thompson (Crenshaw) |
| Brown | Harris | Mitchell | Tucker |
| Buckner | Haynes (Franklin) | Nelson | Wallace |
| Busby | Head | Nettles | Ward |
| Bush | Howell | O'Neal | Weaver |
| Callahan | Ingalls | Pinkston | White (Covington) |
| Coburn | Inzer | Pinson | White (Perry) |
| Cox | Knight | Ramey | Wood (Washington) |
| Crocker | Larkins | Roberts | |
| Davis | Leonard | | |

—69

Nays:

| | | | |
|--------------|----------------|------------------|----------|
| Messrs.: | Dobbs (Elmore) | Givhan | Johnston |
| Adams (Dale) | Gibson | Harrison | Kaul |
| Barnett | Gillis | Haynes (Lowndes) | McDonald |

McIlwain
Mathison
Molette
Norman

Richardson
Robinson
Rogers

Shirley
Stone
Sullivan

Thompson (Pike)
Vann
Wood (Bibb)

—24

And the bill:
(With substitute):

H. 69. To Amend Section 789 of Title 51, Article 11, Chapter 20, Code of Alabama 1940, As Amended by Act No. 475, Approved July 10, 1943, and Reported in Acts 1943, Page 439.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To Amend Section 789 of Title 51, Article 11, Chapter 20, Code of Alabama 1940, As Amended by Act No. 475, Approved July 10, 1943, and Reported in Acts 1943, Page 439.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 789 of Title 51, Article 11, Chapter 20, Code of Alabama 1940, as amended by Act No. 475, approved July 10, 1943, and reported in Acts 1943, page 439, be and the same hereby is amended so as to read as follows:

Section 789. Exemptions.—The storage, use or other consumption in this state of the following tangible personal property is hereby specifically exempted from the tax imposed by this article: (a) Property, the gross proceeds of sales of which are required to be included in the measure of the tax imposed by the provisions of article 10 of this chapter. (b) Property, the storage, use or other consumption of which this state is prohibited from taxing under the constitution or laws of the United States of America or under the constitution of this state. (c) Tangible personal property not to be used in the performance of a contract, brought into this state by a non-resident thereof for his own storage, use or consumption while temporarily within this state. (d) Property stored, used or consumed by the State of Alabama, by the counties within the state, or by incorporated municipalities of the State of Alabama. (e) Lubricating oil and gasoline as defined in sections 630 and 646 of this title, the storage, use or other consumption of which is otherwise taxed. (f) Textbooks used in elementary schools, high schools, and institutions of higher learning. (g) Alcoholic or cereal beverages, when sold by the State of Alabama. (h) Livestock, poultry and other products of the farm, dairy, grove or garden, when in the original state of production or condition of preparation for sale, when stored, used or consumed by the producer or members of his immediate family or for him by those employed by him to assist in the production thereof.

Nothing herein shall be construed to exempt poultry or poultry products when not products of the farm. (i) All fertilizer; provided, the word "fertilizer" as used in this article shall not be construed to include cotton seed meal when not in combination with other material. (j) All seeds for planting purposes; provided, further, nothing herein shall be construed to exempt plants, seedlings, nursery stock or floral products. (k) Boxes, crates, bags, bagging, ties, barrels or other containers, and the labels thereof, used in preparing agricultural products, dairy products, grove or garden products for market, including barrels and other containers and the labels thereof, used in preparing turpentine gum, gum spirits of turpentine and gum resin for market, when such boxes, crates, bags, bagging, ties, barrels and other containers and the labels thereof are to be sold or furnished by the seller of the products contained therein to the purchaser of such products. (l) Newsprint paper, newspapers and religious publications. (m) Coal or coke to be stored, used or consumed by manufacturers, electric power companies and transportation companies for use or consumption in the production of by-products or the generation of heat or power used (1) in manufacturing tangible personal property for sale (2) for the generation of electric power or energy for use in manufacturing tangible personal property for sale or for resale or (3) for the generation of motive power for transportation. (n) Railroad rails, railroad cars and vessels and barges of more than fifty tons burden, when purchased from the manufacturers or builders thereof. (o) Transportation, gas, water or electricity, of the kinds and natures, the rates and charges for which, when sold by public utilities, are customarily fixed and determined by the public service commission of Alabama or like regulatory bodies. (p) Machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property; provided that the term "machines", as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used. (q) Lunches to school children when such sales are made within school building and are not for profit. (r) Fluid milk when such sales are made by a distributor who has purchased such fluid milk direct from the producer thereof. Provided, however, that the term "distributor" as used here shall not be construed to include hotels, restaurants, cafes, cafeterias, drug stores, grocery stores and other retail establishments where milk is served or sold for consumption on the premises or as an incident to the principal business. (s) Fuel and supplies for use or consumption aboard ships plying on the high seas either in intercoastal trade between ports in the State of Alabama and ports in other states of the United States or its

possessions or in foreign commerce between ports in the State of Alabama and ports in foreign countries. Provided, however, that nothing in this article shall be construed to exempt or exclude from the measure of the tax herein levied the gross proceeds of sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair or reconditioning of vessels, barges, ships and other water craft. (t) Wrapping paper, wrapping twine and paper bags.

Section 2. Should any subsection of this Act be held to be unconstitutional by any court of competent jurisdiction, it is the legislative intent such holding shall not affect the balance of this Act.

Section 3. This Act shall become effective immediately upon its passage by the legislature and approval by the Governor, or upon its otherwise becoming a law.

And the substitute reported by the Standing Committee on Ways and Means was adopted.

Yeas 89; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dyar | McDanal | Sadler |
| Adams (Dale) | Faulk | McGowin | Sellers |
| Adams (Jefferson) | Ganey | McIlwain | Shelton |
| Barnett | Garrett | Malone | Shirley |
| Beatty | George | Martin | Sightler |
| Benford | Gibson | Mason | Snodgrass |
| Bennett | Gillis | Mathison | Stewart |
| Brannan | Givhan | Meeks | Still |
| Brassell | Hankins | Merrill | Stone |
| Broadwater | Harris | Miller | Sullivan |
| Brown | Harrison | Mitchell | Taylor (Autauga) |
| Buckner | Haynes (Franklin) | Molette | Thagard |
| Busby | Haynes (Lowndes) | Nelson | Thomas |
| Bush | Head | Nettles | Thompson (Crenshaw) |
| Callahan | Howell | Norman | Vann |
| Coburn | Ingalls | Pinkston | Wallace |
| Cox | Inzer | Pinson | Ward |
| Crocker | Johnston | Ramey | Weaver |
| Davis | Kaul | Richardson | White (Covington) |
| Denton | Knight | Roberts | White (Perry) |
| Doughty | Larkins | Robinson | Wood (Bibb) |
| Duffee | Leonard | Rogers | |
| Dumas | McClendon | | |

—89

Nays: Mr. Wood (Washington).

—1

Mr. Wood (Bibb) offered the following amendment to the bill, H. 69, as amended:

AMENDMENT TO SUBSTITUTE FOR HOUSE BILL NO. 69

Amend Section 789 as said section appears in Section 1 of the substitute for House Bill No. 69 by adding thereto Sub-section (u) to read as follows:

(u) Used automotive vehicles.

And the amendment offered by Mr. Wood (Bibb) was adopted.

Yeas 76; Nays 8.

Yeas:

| | | | |
|-------------------|-------------------|-----------|---------------------|
| Mr. Speaker | Faulk | Larkins | Ramey |
| Adams (Dale) | Ganey | Leonard | Richardson |
| Adams (Jefferson) | Garrett | McClendon | Roberts |
| Barnett | George | McDonald | Robinson |
| Beatty | Gibson | McIlwain | Sellers |
| Benford | Gillis | Malone | Shelton |
| Bennett | Givhan | Martin | Shirley |
| Brassell | Hankins | Mason | Sightler |
| Broadwater | Harris | Mathison | Snodgrass |
| Busby | Harrison | Meeks | Still |
| Bush | Haynes (Franklin) | Merrill | Stone |
| Callahan | Haynes (Lowndes) | Miller | Sullivan |
| Coburn | Head | Mitchell | Thagard |
| Cox | Howell | Molette | Thomas |
| Crocker | Ingalls | Nelson | Thompson (Crenshaw) |
| Davis | Inzer | Nettles | Thompson (Pike) |
| Dobbs (Elmore) | Johnston | Norman | Wallace |
| Duffee | Kaul | Pinkston | Wood (Bibb) |
| Dumas | Knight | Pinson | |
| Dyar | | | |

—76

Nays:

| | | | |
|----------|---------|--------|-------------------|
| Messrs.: | Denton | O'Neal | White (Covington) |
| Brannan | McGowin | Vann | White (Perry) |
| Buckner | | | |

—8

Mr. Snodgrass offered the following amendment to the bill, H. 69, as amended:

AMENDMENT TO HOUSE BILL 69. By Mr. Snodgrass.

Amend Subsection (g) of House Bill 69 as amended so as to read as follows:

(g). Alcoholic or cereal beverages, when sold at retail by the State of Alabama.

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|---------|-------------------|-----------|
| Mr. Speaker | Coburn | George | Inzer |
| Adams (Jefferson) | Cox | Gibson | Knight |
| Barnett | Crocker | Givhan | Larkins |
| Beatty | Davis | Hankins | Leonard |
| Bennett | Denton | Harris | Lovelace |
| Brassell | Duffee | Harrison | McClendon |
| Brown | Dumas | Haynes (Franklin) | McDonald |
| Buckner | Dyar | Haynes (Lowndes) | McGowin |
| Busby | Faulk | Head | McIlwain |
| Bush | Ganey | Howell | Martin |
| Callahan | Garrett | Ingalls | Mason |

| | | | |
|----------|------------|---------------------|-------------------|
| Mathison | Pinkston | Sightler | Thompson (Pike) |
| Meeks | Pinson | Snodgrass | Vann |
| Merrill | Ramey | Still | Wallace |
| Miller | Richardson | Stone | Ward |
| Mitchell | Roberts | Sullivan | Weaver |
| Molette | Robinson | Taylor (Hale) | White (Covington) |
| Nelson | Sellers | Thagard | White (Perry) |
| Norman | Shelton | Thomas | Wood (Bibb) |
| O'Neal | Shirley | Thompson (Crenshaw) | |

—79

Mr. Harris offered the following amendment to the bill, H. 69, as amended:

AN AMENDMENT TO SUBSTITUTE FOR H.B. 69 as amended.
By Mr. Harris.

Amend Section 1 of substitute for H.B. 69 by striking out the semi-colon at the end of the first clause in sub-section (j) of Section 789, Code of Alabama of 1940, as amended by such Section 1, and inserting in lieu thereof the following:

"and baby chicks and poults."

And the amendment was adopted.

Yeas 76; Nays 6.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Duffee | McClendon | Richardson |
| Adams (Jefferson) | Dumas | McDanal | Roberts |
| Barnett | Dyar | McDonald | Robinson |
| Beatty | Faulk | McIlwain | Sellers |
| Bennett | Ganey | Malone | Shelton |
| Black | Garrett | Martin | Shirley |
| Brannan | George | Mason | Sightler |
| Brassell | Givhan | Mathison | Stewart |
| Broadwater | Hankins | Merrill | Still |
| Busby | Harris | Miller | Taylor (Hale) |
| Bush | Harrison | Mitchell | Thagard |
| Callahan | Haynes (Franklin) | Molette | Thomas |
| Coburn | Haynes (Lowndes) | Neison | Thompson (Pike) |
| Cox | Head | Nettles | Vann |
| Crocker | Howell | Norman | Wallace |
| Davis | Inzer | O'Neal | Weaver |
| Denton | Knight | Pinkston | White (Covington) |
| Dobbs (Elmore) | Larkins | Pinson | Wood (Bibb) |
| Doughty | Leonard | Ramey | Wood (Washington) |

—76

Nays:

| | | | |
|----------|----------|-------|----------------|
| Messrs.: | Johnston | Stone | Thomp- |
| ingalls | McGowan | Meeks | son (Crenshaw) |

—6

And said bill, H. 69, as amended, was read a third time at length and passed.

Yeas 74; Nays 16.

Yeas:

| | | | |
|-------------------|-------------------|----------|---------------------|
| Mr. Speaker | Doughty | McDonald | Sellers |
| Adams (Dale) | Dumas | McGowin | Shelton |
| Adams (Jefferson) | Dyar | Malone | Snodgrass |
| Barnett | Faulk | Martin | Stewart |
| Beatty | Ganey | Meeks | Still |
| Benford | Garrett | Merrill | Taylor (Hale) |
| Bennett | George | Miller | Thagard |
| Brannan | Hankins | Mitchell | Thomas |
| Brassell | Harris | Molette | Thompson (Crenshaw) |
| Broadwater | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Brown | Head | Nettles | Vann |
| Buckner | Howell | O'Neal | Wallace |
| Bushby | Ingalls | Pinkston | Ward |
| Bush | Inzer | Pinson | Weaver |
| Callahan | Larkins | Pruitt | White (Covington) |
| Coburn | Leonard | Ramey | White (Perry) |
| Cox | Lovelace | Roberts | Wood (Washington) |
| Davis | McClendon | Rogers | |
| Denton | McDanal | Sadler | |

—74

Nays:

| | | | |
|----------------|------------------|------------|-------------|
| Messrs.: | Harrison | Mason | Shirley |
| Crocker | Haynes (Lowndes) | Norman | Stone |
| Dobbs (Elmore) | Johnston | Richardson | Sullivan |
| Gibson | Kaul | Robinson | Wood (Bibb) |
| Gillis | | | |

—16

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has adopted the following House Joint Resolution:

H.J.R. 41. Relative to adjournment of the two houses until Thursday, July 10, and to meet again on Friday, July 11. and returns same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass, the House non-concurred in the Senate amendment to the H.J.R. 41, said Senate amendment being as follows:

SENATE SUBSTITUTE FOR H.J.R. 41

BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, that when the two Houses adjourn today they adjourn to meet again on Friday, July 11th, at 9 A.M.

On motion of Mr. Snodgrass, a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the H.J.R. 41.

And the Speaker of the House named as the Committee of Conference on the part of the House, Messrs. Snodgrass, Martin and McGowin.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and send same herewith to the House:

By Mr. Hughes:

S. 16. To amend Section 257 of Title 13 of the 1940 Code of Alabama, as amended by An Act of the Legislature, approved July 7, 1945.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 16. Local Government

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cater:

S. 238. To authorize the incorporation with respect to the several cities and towns in this state of public corporations for the purpose of owning and operating and contracting with others for the operation of athletic and recreational facilities; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporations, including the power of eminent domain and the power to issue revenue bonds and negotiable notes and to make mortgages as security for any thereof; to provide that any revenue bonds issued by such corporations shall be payable solely from the revenues derived from any such properties owned by them: to authorize the refunding of any such bonds; to provide that all bonds of such corporations shall be negotiable instruments; to provide that no such mortgages may be foreclosed but to authorize the appointment of receivers upon default therein; to exempt from taxation such corporations and their properties and income and their bonds and the income therefrom; to provide that such municipalities shall not be liable for

any obligations or agreements of such corporations; to authorize the municipalities with respect to which such corporations are organized to convey to such corporations any properties of such municipalities acquired or used for like athletic and recreational purposes; to authorize such corporations and municipalities to contract with each other respecting any properties so conveyed; to provide that upon payment of all their bonds such corporations shall be dissolved and title to their properties shall vest in the municipalities with respect to which they are organized; to provide for the filing of the certificates of incorporation, of deeds to such corporations and of their mortgages and certificates of dissolution without the payment of any taxes; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Also:

By Mr. Harvey:

S. 261. To amend Section 394 of Title 37 of the 1940 Code, which relates to the incorporation of municipal waterworks boards.

Also:

By Mr. Langan:

S. 247. To authorize the county governing body of those counties having a population of more than 140,000 and less than 250,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 238. Local Government

S. 261. Local Government

S. 247. Local Legislation

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Boutwell, Allen, Henderson and Lowe:

S. 77. To make an appropriation of \$150,000.00 to Tuskegee Normal and Industrial Institute to be expended for graduate work.

Also:

By Messrs. Boutwell, Henderson, Allen and Lowe:

S. 76. To make an appropriation for the support and maintenance of the Tuskegee Institute.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 77. Ways and Means

S. 76. Ways and Means

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 24. To amend Section 251 of Title 29 of the 1940 Code of Alabama, which relates to the distribution and disposition of funds derived from the sale of contraband or forfeited property under the "Alcoholic Beverage Control Law".

Also:

H. 138. To authorize and empower operators of passenger stations in Alabama operated by or for the use of any motor transportation company to provide separate waiting rooms, facilities, or space, or separate ticket windows, for the white and colored races; authorizing and empowering motor transportation companies and operators of vehicles, carrying passengers for hire in this state, whether intrastate or interstate passengers, to provide separate accommodations on each vehicle for the white and colored races, to assign or reassign each passenger or person a division, section, or seat on vehicles designated for the race to which the passenger belongs; to make it unlawful for any person willfully to refuse or fail to comply with the reasonable rules, regulations, or directives

providing such separate waiting rooms or facilities, or space, or separate ticket windows; and to make it unlawful for any person willfully to refuse or fail to comply with any reasonable assignment or reassignment of seats to passengers or persons on passenger vehicles designated for the race to which such passenger or person belongs; to fix the penalty for the violation of this Act.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended, as therein shown, and as amended, has passed the following House Bill and returns same herewith to the House:

H. 373. To regulate the use of county-owned school buses.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Miller, the House concurred in and adopted the Senate amendment to the bill, H. 373, said Senate amendment being as follows:

AMENDMENT TO H. 373

Amendment Sec. 1 of HB 373 to read as follows:

"Section 1. County boards of education may at their discretion provide for the transportation of employees of such boards of education to and from schools along with pupils on established pupil transportation route schedules where such transportation can be provided without extra mileage or the over-crowding of school buses. Provided, however, that the county board of education shall not be liable for any damage which may occur to such employee of the School so transported."

Yeas 66; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | McIlwain | Sadler |
| Adams (Dale) | Dumas | Martin | Sellers |
| Adams (Jefferson) | Dyar | Mason | Shelton |
| Barnett | Faulk | Mathison | Shirley |
| Beatty | Ganey | Merrill | Sightler |
| Bennett | George | Miller | Stewart |
| Brannan | Gibson | Mitchell | Stone |
| Brassell | Hankins | Nelson | Taylor (Hale) |
| Brown | Harrison | Nettles | Thagard |
| Buckner | Haynes (Franklin) | Norman | Thompson (Pike) |
| Bush | Head | Pinson | Tucker |
| Callahan | Hornsby | Pruitt | Wallace |
| Coburn | Howell | Ramey | Ward |
| Cox | Kaul | Richardson | Weaver |
| Crocker | Larkins | Roberts | White (Covington) |
| Denton | McDana | Robinson | White (Perry) |
| Dobbs (Elmore) | McDonald | | |

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate amendment to the resolution:

H.J.R. 41. Relative to adjournment of the two Houses until Thursday, July 10, and to meet again on Friday, July 11.

And the President and Presiding Officer of the Senate appointed as conferees on the part of the Senate Messrs. Henderson, Hardwick and Clayton.

J. E. Speight,
Secretary.

BILLS ON THIRD READING RESUMED

H. 70. To Amend Section 752 Of Title 51, Article 10, Chapter 20, Code of Alabama 1940, As Amended By Act No. 584, Approved July 10, 1943, and Reported in Acts 1943, Page 585.

Was taken up

Mr. Harris offered the following amendment to the bill, H. 70:

AMENDMENT TO HOUSE BILL NO. 70 By Mr. Harris No. 1

To amend Sub-section (f) of Sub-section (1) of Section 752 as said section appears in Section 1 of House Bill No. 70 by adding to the last sentence of Sub-section (f) the following:

but shall not include the value of any tangible personal property used by the owner in connection with other personal property in preparing the same, or property of which it becomes an ingredient or component part, for sale.

To amend the last sentence of Sub-section (h) of Sub-section (1) of Section 752 as said section appears in Section 1 of House Bill No. 70 by adding to the last sentence thereof the following:

but shall not include the value of any tangible personal property used by the owner in connection with other personal property in preparing the the same, or property of which it becomes an ingredient or component part, for sale.

To further amend Sub-section (j) of Sub-section (1) of Section 752 as said section appears in Section 1 of House Bill No. 70 by striking the last sentence of said Sub-section (j) which sentence reads as follows:

The term "sale at retail" or "retail sale" shall also mean and include the use or consumption of any tangible personal property by any one who purchases same at wholesale, and such whole-sale purchaser shall report and pay the taxes thereon.

On motion of Mr. Ward the amendment offered by Mr. Harris to the bill, H. 70, was laid upon the table.

Yeas 68; Nays 26.

Yeas:

| | | | |
|-------------|-------------------|----------|-------------------|
| Mr. Speaker | Ganey | Meeks | Sightler |
| Barnett | Garrett | Merrill | Snodgrass |
| Beatty | George | Miller | Still |
| Black | Hankins | Mitchell | Taylor (Autauga) |
| Brannan | Haynes (Franklin) | Nelson | Thagard |
| Brassell | Haynes (Lowndes) | Nettles | Thomas |
| Broadwater | Head | Norman | Thomp- |
| Brown | Hornsby | O'Neal | son (Crenshaw) |
| Buckner | Howell | Pinkston | Thompson (Pike) |
| Busby | Inzer | Pinson | Tucker |
| Bush | Johnston | Pruitt | Vann |
| Coburn | Larkins | Roberts | Wallace |
| Cox | Leonard | Robinson | Ward |
| Crocker | McDanal | Rogers | Weaver |
| Davis | McGowin | Sadler | White (Covington) |
| Denton | McIlwain | Sellers | White (Perry) |
| Dyar | Malone | Shelton | Wood (Washington) |
| Faulk | | | |

—68

Nays:

| | | | |
|-------------------|----------|------------|---------------|
| Messrs.: | Dumas | Kaul | Shirley |
| Adams (Dale) | Gibson | McDonald | Stewart |
| Adams (Jefferson) | Gillis | Martin | Stone |
| Benford | Givhan | Mason | Sullivan |
| Bennett | Harris | Molette | Taylor (Hale) |
| Callahan | Harrison | Ramey | Wood (Bibb) |
| Dobbs (Elmore) | Ingalls | Richardson | |

—26

Mr. Harris offered the following amendment to the bill, H. 70:

AMENDMENT TO HOUSE BILL NO. 70

To amend Sub-section (f) of Sub-section (1) of Section 752 as said section appears in Section 1 of House Bill No. 70 by adding to the last sentence of Sub-section (f) the following:

but shall not include the value of any tangible personal property used by the owner in connection with other personal property in preparing the same, or property of which it becomes an ingredient or component part, for sale and on which sale the tax is paid.

To amend the last sentence of Sub-section (h) of Sub-section (1) of Section 752 as said section appears in Section 1 of House Bill No. 70 by adding to the last sentence thereof the following:

but shall not include the value of any tangible personal property used by the owner in connection with other personal property in preparing the same, or property of which it becomes an ingredient or component part, for sale, and on which sale the tax is paid.

To amend Sub-section (j) of Sub-section (1) of Section 752 as said section appears in Section 1 of House Bill No. 70 by strik-

ing the last sentence of said Sub-section (j) which sentence reads as follows:

The term "sale at retail" or "retail sale" shall also mean and include the use or consumption of any tangible personal property by any one who purchases same at wholesale, and such whole-sale purchaser shall report and pay the taxes thereon.

Mr. Harris moved to postpone the bill, H. 70 and pending amendment to the next Legislative day.

On motion of Mr. Snodgrass the motion of Mr. Harris was laid upon the table.

Yeas 53; Nays 34.

Yeas:

| | | | |
|-------------|-------------------|----------|---------------------|
| Mr. Speaker | Ganey | Merrill | Sellers |
| Beatty | Garrett | Miller | Shirley |
| Benford | Gillis | Mitchell | Snodgrass |
| Black | Hankins | Molette | Taylor (Autauga) |
| Brannan | Haynes (Franklin) | Nelson | Thagard |
| Brassell | Head | Nettles | Thomas |
| Broadwater | Ingalls | Norman | Thompson (Crenshaw) |
| Brown | Inzer | O'Neal | Vann |
| Buckner | Larkins | Pinkston | Wallace |
| Busby | Leonard | Pinson | Ward |
| Cox | McDanal | Pruitt | Weaver |
| Davis | McGowin | Roberts | White (Covington) |
| Dyar | Malone | Rogers | |
| Faulk | Meeks | | |

—53

Nays:

| | | | |
|----------------|------------------|------------|---------------|
| Messrs.: | George | McClendon | Shelton |
| Adams (Dale) | Gibson | McDonald | Sightler |
| Bennett | Givhan | McIlwain | Stewart |
| Bush | Harris | Martin | Stone |
| Callahan | Harrison | Mason | Sullivan |
| Crocker | Haynes (Lowndes) | Ramey | Taylor (Hale) |
| Dobbs (Elmore) | Howell | Richardson | White (Perry) |
| Duffee | Johnston | Robinson | Wood (Bibb) |
| Dumas | Kaul | Sadler | |

—34

And on motion of Mr. Snodgrass the amendment No. 2 offered by Mr. Harris to the bill, H. 70, was laid upon the table.

Yeas 54; Nays 38.

Yeas:

| | | | |
|-------------|---------|-------------------|----------|
| Mr. Speaker | Cox | Hankins | McIlwain |
| Barnett | Crocker | Haynes (Franklin) | Malone |
| Black | Davis | Howell | Merrill |
| Brannan | Denton | Ingalls | Miller |
| Brassell | Dumas | Inzer | Mitchell |
| Broadwater | Dyar | Larkins | Nelson |
| Brown | Faulk | Leonard | Nettles |
| Buckner | Ganey | Lovlace | O'Neal |
| Busby | Garrett | McDanal | Pinkston |
| Bush | George | McGowin | Roberts |

| | | | |
|-----------|---------------------|---------|-------------------|
| Sadler | Taylor (Autauga) | Vann | Weaver |
| Sellers | Thagard | Wallace | White (Covington) |
| Shelton | Thomas | Ward | Wood (Washington) |
| Snodgrass | Thompson (Crenshaw) | | —54 |

Nays:

| | | | |
|-------------------|------------------|------------|-----------------|
| Messrs.: | Gillis | Martin | Sightler |
| Adams (Dale) | Givhan | Mason | Stewart |
| Adams (Jefferson) | Harris | Molette | Still |
| Beatty | Harrison | Norman | Stone |
| Benford | Haynes (Lowndes) | Pinson | Sullivan |
| Bennett | Hornsby | Pruitt | Taylor (Hale) |
| Callahan | Johnston | Ramey | Thompson (Pike) |
| Dobbs (Elmore) | Kaul | Richardson | White (Perry) |
| Duffee | McClendon | Robinson | Wood (Bibb) |
| Gibson | McDonald | Shirley | —38 |

And said bill, H. 70, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 21.

Yeas:

| | | | |
|--------------|-------------------|----------|---------------------|
| Mr. Speaker | Dumas | McDanal | Sellers |
| Adams (Dale) | Dyar | McGowin | Shelton |
| Barnett | Faulk | McIlwain | Sightler |
| Beatty | Ganey | Malone | Snodgrass |
| Benford | Garrett | Mason | Stone |
| Black | George | Meeks | Taylor (Autauga) |
| Brannan | Gibson | Merrill | Thagard |
| Brassell | Hankins | Miller | Thomas |
| Broadwater | Haynes (Franklin) | Mitchell | Thompson (Crenshaw) |
| Brown | Head | Nelson | Vann |
| Buckner | Howell | Nettles | Wallace |
| Busby | Ingalls | Norman | Ward |
| Bush | Inzer | O'Neal | Weaver |
| Callahan | Johnston | Pinkston | White (Covington) |
| Cox | Kaul | Pinson | White (Perry) |
| Davis | Larkins | Pruitt | Wood (Washington) |
| Denton | Leonard | Roberts | —70 |
| Duffee | Lovelace | Sadler | |

Nays:

| | | | |
|-------------------|------------------|------------|---------------|
| Messrs.: | Givhan | Molette | Stewart |
| Adams (Jefferson) | Harris | Ramey | Still |
| Bennett | Harrison | Richardson | Sullivan |
| Crocker | Haynes (Lowndes) | Robinson | Taylor (Hale) |
| Dobbs (Elmore) | McClendon | Rogers | Wood (Bibb) |
| Gillis | Martin | | —21 |

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of Committee on Conference on the disagreement of the two Houses on the Senate amendment to the resolution:

H.J.R. 41. Relative to the adjournment of the two Houses until Thursday, July 10, and to meet again on Friday, July 11, Said conference report being in words and figures as follows, to-wit:

To the President of the Senate

To the Speaker of the House

We, your Conference Committee, appointed on the disagreement of the two Houses on the Senate amendment to House Joint Resolution No. 41 (relative to adjournment of the two Houses to-day) beg leave to report:

We recommend that the House concur in the Senate amendment to the Resolution and that the House adopt the Resolution as amended by the Senate amendment.

J. Bruce Henderson

W. G. Hardwick

Preston C. Clayton

Committee on part of Senate

J. M. Snodgrass

U. L. Martin

Earl M. McGowin

Committee on part of House

And said Conference Report, together with the resolution, is herewith sent to the House for its consideration.

J. E. Speight,
Secretary.

SENATE MESSAGE

The motion of Mr. Stone to non-concur in the Conference Report, and have Chair name a new committee of Conference, was lost.

Yeas 25; Nays 62.

Yeas:

| | | | |
|-------------------|-------------------|----------|----------|
| Messrs.: | Duffee | Ingalls | Miller |
| Adams (Jefferson) | Dumas | Johnston | Pinkston |
| Bennett | Dyar | Kaul | Roberts |
| Brannan | Faulk | Malone | Stone |
| Brown | Gibson | Meeks | Thomas |
| Busby | Gillis | Merrill | Weaver |
| Davis | Haynes (Franklin) | | |

—25

Nays:

| | | | |
|--------------|------------|----------------|------------------|
| Mr. Speaker | Brassell | Cox | George |
| Adams (Dale) | Broadwater | Crocker | Givhan |
| Barnett | Buckner | Dobbs (Elmore) | Hankins |
| Beatty | Bush | Doughty | Harris |
| Benford | Callahan | Ganey | Harrison |
| Black | Coburn | Garrett | Haynes (Lowndes) |

| | | | |
|-----------|------------|------------------|-------------------|
| Head | Martin | Robinson | Taylor (Hale) |
| Howell | Mason | Rogers | Thagard |
| Inzer | Mitchell | Sadler | Thomp- |
| Larkins | Molette | Sellers | son (Crenshaw) |
| Leonard | Nelson | Shelton | Vann |
| Lovelace | Norman | Sightler | Wallace |
| McClendon | Pinson | Stewart | White (Covington) |
| McDanal | Pruitt | Still | White (Perry) |
| McDonald | Ramey | Sullivan | Wood (Bibb) |
| McIlwain | Richardson | Taylor (Autauga) | —62 |

On motion of Mr. McGowin the report of the Conference committee on the disagreement of the two houses on the Senate amendment to H.J.R. 41, was concurred in and adopted.

S. 215 RE-REFERRED

On motion of Mr. Roberts, the bill, S. 215, was re-referred to the Standing Committee on Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Burnside:

S. 208. To make it a felony to knowingly sell, give or dispense any alcoholic beverage to any school student under 18 years of age, or to keep or have in possession any alcoholic beverage in or around a school building of any public secondary or grade school and to fix the penalty therefor.

Also:

By Messrs. Lowe and Quarles:

S. 199. To create for each county a Board of Fox Control with power to offer a bounty for foxes killed in the county, providing for payment of the bounty.

Also:

By Mr. Langan:

S. 227. To provide that the State Department of Veteran Affairs shall assist every veteran in presenting and pursuing his claim against the United States or the State of Alabama arising out of his service in any war of the United States, and to allow said Department, through the State Service Commissioner, subject to the approval of the State Board of Veteran Affairs to contract with Veterans' Organizations for the performance of duties pertaining

to the presenting, pursuing and prosecuting of veterans' claims and to compensate said veterans' organizations for their service.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

- S. 208. Judiciary
- S. 199. Conservation
- S. 227. Judiciary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Langan:

S. 104. To authorize and require the suspension of operator's license and registration certificate to operate a motor vehicle for conviction of certain offenses and until operator shall have filed proof of ability to respond in damages as a condition precedent to future licensing or registration; to require the several courts or clerks thereof to furnish to the director of public safety certified copies of judgments of conviction of operators of motor vehicles and of judgments which have been unpaid for thirty day, and to require the director in case of a nonresident to transmit a copy thereof to the appropriate officer in the state of such nonresident; to provide for the suspension of an operator's license and registration certificate upon failure to satisfy a judgment and to require the satisfaction of the judgment and filing of proof of ability to respond in damages as a condition precedent to future licensing or registration; to fix the terms and conditions under which judgments shall be regarded as satisfied and to authorize the payment of the same in installments; to relieve an operator or chauffeur of the necessity of giving proof in his own behalf; to provide for the application of the act to nonresidents; to describe the terms and conditions of insurance policies covering the operation of motor vehicles, to provide the method by which a nonresident may establish proof of ability to respond in damages and the methods by which proof of responsibility may be given, to provide for the satisfaction of judgments therefrom and to authorize cancellation and return of such proof; to authorize the director to furnish informa-

tion relative to the record of an operator and proof of his ability to respond in damages; to provide for the return of license, registration certificate and number plates to the director; to prohibit the transfer of certificate of registration to defeat the purpose of this act; to except certain policies of automobile insurance from the terms of this act; to forbid the operation of motor vehicle not owned under policy covering vehicle owned; to define a motor vehicle liability policy, to provide additional requirements for the same and to authorize an insurance carrier to furnish a certificate of insurance; to authorize the director to make rules and regulations for the administration, and to provide penalties for violations of this act.

Also:

By Mr. Russell:

S. 257. To Amend Section 27 of Title 11 of the Code of Alabama of 1940.

Also:

By Mr. Patterson:

S.B. 126. To amend Section 98 of Title 11 of the 1940 Code of Alabama, which relates to pay for jurors.

Also:

By Messrs. Lowe, Allen, Boutwell and Henderson:

S. 84. To make an appropriation for the support of the Council of State Governments.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 104. Judiciary

S. 257. Judiciary

S. 126. Judiciary

S. 84. Ways and Means

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 82. To amend Section 72 of Title 18, Code of Alabama 1940.

Also:

H. 210. To prohibit the manufacture, possession, sale or delivery within this State of adulterated or misbranded cosmetics; providing for the administration and enforcement of the Act by the Department of Agriculture and Industries; and making a violation of the Act or the rules and regulations promulgated by the Board of Agriculture and Industries a misdemeanor.

Also:

H. 167. To amend Section 694 of Title 7 of the Code of Alabama of 1940.

Also:

H. 349. To amend section 84, Title 51, Code of Alabama 1940; to provide for the claiming of homestead exemptions upon forms required by the tax assessor; to make it the duty of the tax assessor to prepare and have furnished such forms; to prove that a person who has once made claim of such exemption shall not be required thereafter to repeat such claim so long as the property remains exempt; to require the heir, grantee, assignee, or successor of a person who previously made a claim of such exemption, to make a claim of exemption in the name of such heir, grantee, assignee, or successor in order to effectuate an exemption thereof; to require the taxpayer to notify the tax assessor when property which has previously been claimed and allowed as exempt is no longer exempt, and to require the tax assessor thereupon to list such property for taxation; and to authorize the assessment for state purposes with penalty as an escape for a period not exceeding five years of any property upon which the ad valorem tax for state purposes has not been paid; to provide for the severability of the provisions of this act in the event that any provision is held unconstitutional or invalid; and to provide for the effective date of this act.

J. E. Speight,
Secretary.

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:30 A.M. on July 8, 1947.

H. 73

H. 151

H. 330

H.J.R. 11

H.J.R. 28

H.J.R. 37

Delivered to the Governor at 12:45 P.M. July 8, 1947.

H. 127

H. 482

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Sellers, the House, in accordance with Conference Report heretofore adopted, adjourned until 9 o'clock, A.M., Friday, July 11, 1947.

Yeas 45; Nays 41.

Yeas:

| | | | |
|----------------|------------------|------------|---------------------|
| Mr. Speaker | Doughty | McDanal | Shelton |
| Adams (Dale) | Dyar | McDonald | Sightler |
| Benford | Ganey | Martin | Stewart |
| Bennett | George | Mitchell | Still |
| Black | Hankins | Nelson | Taylor (Hale) |
| Brassell | Harris | Norman | Thagard |
| Buckner | Haynes (Lowndes) | Pinkston | Thompson (Crenshaw) |
| Callahan | Head | Ramey | Vann |
| Coburn | Hornsby | Richardson | Weaver |
| Cox | Howell | Robinson | White (Covington) |
| Denton | Leonard | Sellers | |
| Dobbs (Elmore) | McClendon | | |

—45

Nays:

| | | | |
|-------------------|-------------------|----------|------------------|
| Messrs. : | Dumas | Lovelace | Sadler |
| Adams (Jefferson) | Faulk | McGowin | Shirley |
| Barnett | Garrett | Malone | Snodgrass |
| Beatty | Gibson | Mason | Stone |
| Brannan | Givhan | Meeks | Sullivan |
| Brown | Harrison | Merrill | Taylor (Autauga) |
| Busby | Haynes (Franklin) | Miller | Thompson (Pike) |
| Bush | Ingalls | Molette | Wallace |
| Crocker | Inzer | Pruitt | White (Perry) |
| Davis | Johnston | Roberts | Wood (Bibb) |
| Duffee | Kaul | | |

—41

FOURTEENTH DAY

House of Representatives,
Montgomery, Alabama,
Friday, July 11, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Thomas J. Gross, pastor of Frazer Memorial Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | McDanal | Sellers |
| Adams (Dale) | Evans | McDonald | Shelton |
| Adams (Jefferson) | Faulk | McGowin | Shirley |
| Barnett | Frasier | McIlwain | Sightler |
| Beatty | Ganey | Malone | Snodgrass |
| Benford | Garrett | Martin | Stewart |
| Bennett | George | Mason | Still |
| Black | Gibson | Mathison | Stone |
| Brannan | Givhan | Meeks | Sullivan |
| Brassell | Hankins | Merrill | Taylor (Autauga) |
| Broadwater | Harris | Miller | Taylor (Hale) |
| Brown | Harrison | Mitchell | Thagard |
| Buckner | Haynes (Franklin) | Molette | Thomas |
| Busby | Haynes (Lowndes) | Nelson | Thomp- |
| Bush | Head | Nettles | son (Crenshaw) |
| Callahan | Hornsby | Norman | Thompson (Pike) |
| Cobb | Howell | O'Neal | Tucker |
| Coburn | Ingalls | Pinkston | Vann |
| Cox | Inzer | Pinson | Wallace |
| Crocker | Johnston | Pruitt | Ward |
| Davis | Kaul | Ramey | Weaver |
| Denton | Knight | Richardson | Whitcomb |
| Dobbs (Elmore) | Larkins | Roberts | White (Covington) |
| Dobbs (Fayette) | Leonard | Robinson | White (Perry) |
| Doughty | Lovelace | Rogers | Wood (Bibb) |
| Duffee | McClendon | Sadler | Wood (Washington) |
| Dumas | | | |

—104

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Tucker, leave of absence was granted Mr. Gillis for to-day.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirteenth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts the reading at length of the Journal of the House for the thirteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the thirteenth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that said committee, in session, has compared the following engrossed bills with the original bills and finds same correctly engrossed, to-wit:

By. Messrs. Snodgrass and Wallace:

H. 68. To Amend Section 755 of Title 51, Article 10, Chapter 20, Code of Alabama 1940, as amended by Act No. 471, Approved July 10, 1943, And Reported In Acts 1943, Page 435.

Also:

By Messrs. Snodgrass and Wallace:

H. 69. To Amend Section 789 of Title 51, Article 11, Chapter 20, Code of Alabama 1940, As Amended by Act No. 475, Approved July 10, 1943, and Reported in Acts 1943, page 439.

W. M. Beck,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House bills, to-wit;

H. 19. To amend Section 6 of the Act entitled "An Act, To regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof;

to require licensess under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment.”, approved June 23, 1945.

Also:

H. 20. To amend Section 4 of the Act entitled “An Act, To create a Bureau of Rates of the Department of Commerce; to regulate the making and applying of rates for fire, inland marine, casualty, and any lines incidental to the various classes, and the approval or disapproval of rates or rating systems, the intent being to include the rate making of all rates, except life and health and accident, of all companies authorized to do business in the State of Alabama; and provide for the officers and employees thereof and their compensation, powers, functions, and duties; to entrust the administration of this Act to said department; and to make an appropriation for the administration of this Act.”, approved June 16, 1945.

Also:

H. 24. To amend Section 251 of Title 29 of the 1940 Code of Alabama, which relates to the distribution and disposition of funds derived from the sale of contraband or forfeited property under the “Alcoholic Beverage Control Law”.

Also:

H. 31. To amend Section 198 of Title 17 of the 1940 Code of Alabama, which provides for the compensation of election officers.

Also:

H. 82. To amend Section 72 of Title 18, Code of Alabama 1940.

Also:

H. 115. To amend section 247 of title 29, of the 1940 code of Alabama, pertaining to the seizure and forfeiture of conveyances and vehicles transporting prohibited liquors and beverages.

Also:

H. 138. To authorize and empower operators of passenger stations in Alabama operated by or for the use of any motor transportation company to provide separate waiting rooms, facilities, or space, or separate ticket windows, for the white and colored races; authorizing and empowering motor transportation companies and operators of vehicles, carrying passengers for hire in this state,

whether intrastate or interstate passengers, to provide separate accommodations on each vehicle for the white and colored races, to assign or reassign each passenger or person a division, section, or seat on vehicles designated for the race to which the passenger belongs; to make it unlawful for any person willfully to refuse or fail to comply with the reasonable rules, regulations, or directives providing such separate waiting rooms or facilities, or space, or separate ticket windows; and to make it unlawful for any person willfully to refuse or fail to comply with any reasonable assignment or reassignment of seats to passengers or persons on passenger vehicles designated for the race to which such passenger or person belongs; to fix the penalty for the violation of this Act.

Also:

H. 163. To prescribe the method of selecting the superintendent of education for Coffee County, fixing his term of office, providing the payment of his salary, and repealing all conflicting laws.

Also:

H. 167. To amend Section 694 of Title 7 of the Code of Alabama of 1940.

Also:

H. 209. To amend Section 605 of Title 51 of the 1940 Code, which relates to licenses on businesses, vocations, and occupations.

Also:

H. 210. To prohibit the manufacture, possession, sale, or delivery within this State of adulterated or misbranded cosmetics; providing for the administration and enforcement of the Act by the Department of Agriculture and Industries; and making a violation of the Act or the rules and regulations promulgated by the Board of Agriculture and Industries a misdemeanor.

Also:

H. 216. To alter or rearrange the boundaries of the City of Hartselle, Alabama.

Also:

H. 233. To amend Section 499, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Also:

H.269. To regulate the office of sheriff in counties of 400,000 population or over according to the last Federal census or any subsequent Federal census, to exempt the sheriffs of such counties from court costs; to exempt sheriffs from liability for the acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of sheriffs, and to provide for the payment of the premium

on the sheriffs and deputies bonds out of the county treasury; authorizing the sheriff to employ an attorney to advise and represent him, whose compensation is to be fixed by the board of revenue or like governing body and paid out of the general fund; and providing when and where this act shall become effective.

Also:

H. 278. To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama,

Also:

H. 294. To fix the salary of the sheriff of Walker County, Alabama; to provide for payment of the same out of the General Fund of the County; to provide that all fees and commissions now allowed the Sheriff for services rendered shall be collected by him and paid over to the Treasurer of the County for the use of the General Fund of the County; to provide for the employment of deputies, including a chief deputy, jailers, and an office clerk or bookkeeper in the office of Sheriff of Walker County; to fix their salaries; to provide for the payment of same out of the General Fund of the County; to provide for the expenses of private motor vehicles used by the Sheriff and his deputies in the performance of their official duties; to provide for the payment of such expenses out of the General Fund of the County; to provide for other necessary expenses of the office of Sheriff of Walker County, including stamps, stationery, books, office supplies, equipment and furnishings; to provide for the payment of such expenses out of the General Fund of the County; and to repeal all laws and parts of laws in conflict herewith.

Also:

H. 311. To regulate the jurisdiction of Justices of the Peace and Notary Publics and Ex Officio Justices of the Peace in Pickens County: their places for holding courts and their fees as such.

Also:

H. 349. To amend section 84, Title 51, Code of Alabama 1940; to provide for the claiming of homestead exemptions upon forms required by the tax assessor; to make it the duty of the tax assessor to prepare and have furnished such forms; to prove that a person who has once made claim of such exemption shall not be required thereafter to repeat such claim so long as the property remains exempt; to require the heir, grantee, assignee, or successor of a person who previously made a claim of such exemption, to make a claim of exemption in the name of such heir, grantee, assignee, or successor in order to effectuate an exemption thereof; to require the taxpayer to notify the tax assessor when property which has previously been claimed and allowed as exempt is no longer exempt, and to require the tax assessor thereupon to list such property for taxation; and to authorize the assessment for

state purposes with penalty as an escape for a period not exceeding five years of any property upon which the ad valorem tax for state purposes has not been paid; to provide for the severability of the provisions of this act in the event that any provision is held unconstitutional or invalid; and to provide for the effective date of this act.

Also:

H. 372. Relating to sentences imposed by the Recorder's Court of Birmingham, Alabama; and, without limiting the generality of the foregoing, to provide for the suspension of execution, the execution after suspension, and the remission of, such sentences or any part thereof.

Also:

H. 373. To regulate the use of county-owned school buses.

Also:

H. 387. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Lockhart, Covington County, Alabama.

Also:

H. 409. To fix the salaries of the Chief Clerk employed in the Office of the Probate Judge in all counties of the State of Alabama which now have, or which may hereafter have, a population of not less than 75,000 and not more than 113,000 according to the last Federal census or any such Federal census which may be hereafter taken.

Also:

H. 442. Fixing the Compensation or Salary of the Members of the Court of County Commissioners of Marshall County, Alabama, and requiring that they devote their full time to the duties of their office and to provide for the manner and method of such payment and to provide pickup truck for their use, and to provide when this act shall go into effect.

Also:

H. 472. To provide for the appointment of a deputy clerk of the Circuit Court of Lawrence County, Alabama and to prescribe the duties and fix the compensation of such deputy.

Also:

H. 473. To amend Section 3 of Act No. 18, Local Acts of 1898-99, approved December 1, 1898, and to amend Section 5 of said Act, which said Section 5 was amended by an Act approved 6th day of September, 1927, and further amended by an Act approved October 25, 1932; which said Act establishes a Court of County Revenue for Lawrence County, Alabama, and defines its duties and powers.

Also:

H. 474. To amend Section 1 of an act entitled "An Act to prescribe the salary and manner of payment of same, of the Chief Deputy Sheriff of Macon County, Alabama," approved June 22, 1943.

Also:

H. 475. To amend Section 1 of an act entitled "An Act to authorize the Board of Revenue of Macon County, Alabama, to provide for an additional Deputy Sheriff; to provide the manner and method of his appointment and to fix his salary and make provisions for payment of same; and prescribe his duties," approved June 22, 1943.

Also:

H. 484. To prescribe the limit of the Police Jurisdiction of and for the City of Phenix City, Alabama.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-third vote of a quorum present, signed the bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To The House of Representatives
Montgomery
Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 353, without his approval.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary to the Governor.

July 8, 1947

To The House of Representatives
Montgomery
Alabama

Gentlemen:

I am herewith returning to you, the body in which this bill originated, House Bill No. 353, without my approval.

This is a local bill applicable to Jefferson County, and my action in this matter is taken with the full knowledge, consent and approval of the authors of this bill.

The notice of proof shows that it is not in conformity with Section 106, Article IV, of the Constitution of 1901, requiring that the substance of the proposed law be published prior to the introduction of the bill.

Respectfully,

James E. Folsom,
Governor.

July 7, 1947.

GOVERNOR'S MESSAGE

The question was whether the bill, H. 353, should pass, the Governor's veto to the contrary notwithstanding. The House refused to pass said bill over the veto of the Governor.

Yeas 0; Nays 71.

Yeas 0.

Nays:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | McClendon | Shirley |
| Adams (Jefferson) | Faulk | McDonald | Sightler |
| Barnett | Ganey | McGowin | Snodgrass |
| Benford | Garrett | Martin | Stewart |
| Bennett | George | Mathison | Still |
| Black | Gibson | Meeks | Stone |
| Brannan | Hankins | Merrill | Sullivan |
| Brassell | Harris | Miller | Taylor (Autauga) |
| Broadwater | Harrison | Molette | Thagard |
| Buckner | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Bush | Haynes (Lowndes) | Nettles | Tucker |
| Callahan | Head | Pinkston | Vann |
| Coburn | Hornsby | Pinson | Wallace |
| Davis | Howell | Richardson | Ward |
| Denton | Inzer | Roberts | Weaver |
| Doughty | Knight | Rogers | White (Covington) |
| Duffee | Larkins | Sellers | Wood (Washington) |
| Dumas | Leonard | Shelton | |

—71

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and presiding officer of the Senate having signed the following Senate Joint Resolutions your signature thereto is requested:

S.J.R. 25. Relative to. Extending thanks for the peaches from Chilton Co.

Also:

S.J.R. 26. Relative to. The naming of Senate Bill 123.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and presiding officer of the Senate having signed the following Senate bills, your signature thereto is requested:

S. 83. To repeal an Act to provide for the establishment, discontinuance, construction, use, working, maintaining and location of the public roads and bridges in Cleburne County, Alabama: To provide for the appointment of a Road Supervisor in and for said County and to prescribe his qualifications, duties and to fix his salary and provide for the method of his election or appointment, approved August 22, 1927.

Also:

S. 95. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

S. 195. To provide for clerical assistants, and other expenses, of the Judge of Probate, Tax Collector, and Tax Assessor of Calhoun County, and to provide for the payment of the salaries of clerks, deputies, and clerical assistants in said offices out of the County Treasury of Calhoun County.

Also:

S. 210. To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis.

Also:

S. 211. To change the method of compensating the Sheriff of Limestone County; placing such officer on a salary; and providing for the operation of his office on a salary basis.

Also:

S. 223. To amend section 3 of the act establishing the Intermediate Civil Court of Birmingham, approved September 7, 1935 (Local Acts of Alabama, page 219.)

Also:

S. 224. To repeal an Act providing for the payment of salaries of the members of the Court of County Commissioners of Cleburne County, Alabama,—Approved Feb. 24, 1937.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

MOTION IN WRITING BY MR. STONE

Having voted with the prevailing side, I move that the House now reconsider the vote by which H. 70 passed the House on the last Legislative Day.

On motion of Mr. Stone, consideration of the above motion was postponed until the next Legislative Day.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolutions and ordered same returned to the House with a favorable report:

By Mr. Allen:

Be It Resolved By the Senate, the House Concurring that Senate Bill 76 be known as the Bridges, Boutwell, Allen, Henderson and Lowe Bill.

Be It Further Resolved by the Senate, the House Concurring that Senate Bill 77 be known as the Bridges, Boutwell, Allen, Henderson and Lowe Bill.

And the S.J.R. 27 was concurred in and adopted.

By Mr. Wallace:

H. R. 40. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES THAT HB 2 To provide for the establishment, maintenance, and operation of regional trade schools be made a special, paramount and continuing order of business for the House on the next Legislative day, to be taken up directly after the Bills set out in House Resolution 32 are disposed of.

And H. R. 40 was adopted.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the House with a favorable report, with amendment:

By Mr. Pinson (with amendment):

H.J.R. 29. Authorizing and directing the Clerk of the House of Representatives and the Secretary of the Senate to negotiate for, acquire, and supervise the installation of air conditioning on the third floor of the State capitol building.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. The Clerk of the House of Representatives and the Secretary of the Senate are authorized and directed to negotiate for, acquire, and supervise the installation of air conditioning on the third floor of the State capitol building.

2. Payment for the acquisition and installation of such air conditioning system or systems shall be made from funds appropriated for payment of expenses of the present session of the Legislature.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Rules, said committee amendment being as follows:

Amend H.J.R. 29 by adding to Section 1 thereof the following:

"With the advice and approval of a joint committee consisting of three members each from the Rules Committees of the House and Senate, said committees to be appointed by the Chairman of each of the Standing Rules Committees."

And the committee amendment to H.J.R. 29 was adopted.

And said H.J.R. 29, as amended by the committee amendment was adopted.

MOTION TO RE-REFER S. 66

The motion of Mr. Roberts to re-refer the bill, S. 66, to the Standing Committee on Ways and Means, was, upon motion of Mr. Merrill, laid upon the table.

Yeas 53; Nays 18.

Yeas:

Mr. Speaker
Barnett
Beatty
Benford

Bennett
Black
Brannan
Busby

Callahan
Cox
Davis
Denton

Dobbs (Elmore)
Dumas
Dyar
Faulk

| | | | |
|----------|----------|------------|-------------------|
| Ganey | McDonald | Pruitt | Stone |
| Garrett | McIlwain | Ramey | Taylor (Autauga) |
| Gibson | Martin | Richardson | Taylor (Hale) |
| Hankins | Mason | Robinson | Thagard |
| Harrison | Merrill | Sadler | Thompson (Pike) |
| Head | Mitchell | Sellers | Tucker |
| Howell | Molette | Shirley | Vann |
| Ingalls | Nettles | Sightler | White (Covington) |
| Inzer | Norman | Stewart | Wood (Washington) |
| McDanal | | | —53 |

Nays:

| | | | |
|-------------------|-------------------|----------|-----------|
| Messrs.: | George | Mathison | Snodgrass |
| Adams (Jefferson) | Haynes (Franklin) | Miller | Wallace |
| Brassell | Haynes (Lowndes) | Pinkston | Ward |
| Broadwater | Knight | Roberts | Weaver |
| Duffee | McClendon | Shelton | —18 |

H. 547 RE-REFERRED

On motion of Mr. Davis the bill, H. 547, was re-referred to the Standing Committee on Judiciary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Ingalls:

H.R. 42. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That House Bill No. 463 by Mr. Gillis on page fourteen of the House Calendar, title of which is as follows: "To amend Section 18 of Title 32 of the Code of Alabama of 1940, as amended. (Relating to the compensation of certain employees of the Legislature)." be made a special paramount and continuing order of business.

And H.R. 42 was referred to the Standing Committee on Rules.

By Mr. Snodgrass:

H.J.R. 43. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again Tuesday, July 15th, at 10 o'clock A.M.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 43 was adopted.

BILLS ON SECOND READING

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Fite, Kimbrell, Coleman, and Cater:

S. 66. To provide for auditing periodically the books, accounts, vouchers, and records of public officers, agencies, and institutions: creating a Department of Examiners of Public Accounts and a supervisory Legislative Committee on Public Accounts; abolishing the Division of Examiners of Public Accounts of the Department of Finance and transferring its functions, funds, books, records, furniture, fixtures, supplies, equipment, and personnel; and prescribing penalties for violations of this Act.

By Mr. Langan:

S. 60. To amend Section 630 of Title 7 of the Code of Alabama of 1940.

By Mr. Ingalls:

H. 610. To amend Section 421 of Title 14 of the Code of Alabama for 1940.

By Mr. Mize:

S. 185. To authorize and create an additional judge of the Sixth Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, to provide for the designation of each of the two offices of Circuit Judge of said circuit by number and to provide for the salary of said judge.

By Mr. Roberts (by request):

H. 492. To amend Title 46, Section 304, Code of Alabama 1940.

By Mr. Harris:

H. 579. To amend Section 27 of Title 11 of the Code of Alabama of 1940.

By Mr. Langan:

S. 227. To provide that the State Department of Veteran Affairs shall assist every veteran in presenting and pursuing his claim against the United States or the State of Alabama arising out of his service in any war of the United States, and to allow said Department, through the State Service Commissioner, subject to the approval of the State Board of Veteran Affairs to contract with Veterans' Organizations for the performance of duties pertaining to the presenting, pursuing and prosecuting of veterans' claims and to compensate said veterans' organization for their service.

By Mr. Merrill:

H. 561. To Amend Section 284 of Title 13 of the 1940 Code, Which Relates to Decrees of Probate Courts.

By Messrs. Cater and Allen (by request):

S. 194. To permit the grantee, heir, or devisee of, or any one claiming title to, property set apart absolutely as a homestead in the Probate Court to cure defects in the title resulting from irregularities in the proceeding setting apart the homestead, and to provide for the procedure thereon.

By Mr. Mize:

S. 214. To provide the School of Law of the University of Alabama with additional copies of official State publications for exchange purposes.

By Messrs. Lowe, Allen, Boutwell, and Henderson:

S. 89. To repeal Section 5 of the Act entitled "An Act, To provide for the examination and audit by the Division of Examiners of Public Accounts of State of Alabama offices, bureaus, boards, commissions, agencies, institutions, and departments and county offices; to require the Division to prescribe and enforce uniform accounting and reporting systems for such State offices, bureaus, institutions, boards, commissions, agencies and departments and county offices; and to appropriate such a sum as may be necessary to carry out the provisions of the act and the expenses incurred thereunder.", approved June 29, 1945.

By Messrs. Barnett, Inzer, and McIlwain:

H. 574. To provide that a release may be avoided or varied in cases where there is a mutual mistake of fact by parol evidence.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

By Mr. Roberts (with amendment):

H. 509. To amend Chapter 9, Title 15, Code of Alabama 1940 relating to Bail.

By Messrs. Miller and Harris (with amendment):

H. 507. To make the statements of one purporting to be an agent prima facie evidence of agency and admissible against the principal.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

By Messrs. Benford and Mason (with substitute):

H. 570. To require every person operating a hotel, or inn, three or more stories high to maintain a fire watch, providing a penalty for violations.

By Mr. Miller (with substitute):

H. 273. To authorize any Circuit Solicitor of the State of Alabama to incur investigative expenses for himself and others in ascertaining the facts concerning the commission of felonies that he has probable cause to believe have been committed in his circuit; to provide that he may employ the services of a medical and other experts to aid in the investigation of homicide and sexual crimes and to appear as a witness before a grand jury and at any trial of the case; to provide for the payment of such an expert or a professional fee and other expenses when approved by the Attorney General; to provide for the payment of fees and other expenses herein authorized out of the State Treasury; to provide annual appropriation therefor; to fix the effective date of this act.

By Mr. Harris (with substitute):

H. 578. To amend Sections 21 and 89 of Title 11 of the 1940 Code of Alabama, which relate to the fees of circuit court clerks.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Fite:

S. 230. To propose an amendment to the Constitution of Alabama relating to Marion County; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the general election next succeeding the present session of the Legislature; and to provide for the expenses of holding said election.

The above and foregoing bill, S. 230, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Mize:

S. 241. To submit to the qualified electors of the State of Alabama at an election to be held on the First Tuesday after the expiration of three months after the final adjournment of the Regular Session of the 1947 Legislature for their consideration an amendment to the Constitution of Alabama for the purpose of levying and collecting in the City of Tuscaloosa and in the several school districts of Tuscaloosa County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes and providing for the issuance of bonds arising from the funds of said special school tax for the construction and improvement of public school buildings and acquiring sites therefor.

The above and foregoing bill, S. 241, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Langan:

S. 64. To amend Section 344 of Title 17 of the 1940 Code of Alabama, which relates to the certification of names of candidates for party nominations.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

By Mr. Head (with substitute):

H. 16. To provide for absentee voting in primary, general, and municipal elections; and to prescribe penalties for the violation of any of the provisions of this act.

Mr. Barnett, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bills and ordered same returned to the House without recommendation:

By Mr. Roberts (without recommendation):

H. 576. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that no city of the State having a population of five thousand or more shall be annexed or dissolved without the consent of a majority of the citizens thereof; to provide for the manner and time of holding such election.

The above and foregoing bill, H. 576, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

By Mr. Allen (without recommendation):

S. 155. Proposing an amendment to the Constitution of Alabama relative to evidences of indebtedness issued by the State and its political subdivisions and providing for an election thereon.

The above and foregoing bill, S. 155, proposing an amendment to the Constitution, was read a second time at length and placed on the Calendar.

Mr. Meeks, Chairman of the Standing Committee on State Administration, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Messrs. Lowe, Allen, Boutwell, and Henderson:

S. 88. To amend Section 157 of Title 55 of the 1940 Code of Alabama.

Mr. Meeks Chairman of the Standing Committee on State Administration, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. Martin and Coburn (with amendment):

H. 550. To supplement Article 5 of Chapter 4, Title 55, 1940 Code, which relates to the Division of Service of the State Department of Finance, prescribing a procedure for maintaining control over State personal property and fixing a penalty for neglect of any duty imposed by the Act.

Mr. Pinkston, Chairman of the Standing Committee on Business and Labor, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Sullivan:

H. 526. To regulate the installation and equipment used in installing, storage, transporting and dispensing of liquefied petroleum gases; to provide for the administration hereof by the Superintendent of Insurance as Fire Marshall Ex-officio; to provide for the appointment of a Chief Inspector, Deputy Inspectors and assistants to carry out the provisions hereof; to provide for reports to be made in connection with the sale and installation of liquefied petroleum appliances and systems; to provide for the payment of fees for the inspection of liquefied petroleum gas equipment, containers and systems; to provide for insurance and bonds by dealers in such gases and equipment; to provide for penalties for the violation of this act and any rule, or order promulgated pursuant hereto; to provide for payment of the expenses and salaries incurred in connection herewith and to provide for the effective date of this act.

By Mr. Pinkston:

H. 527. To amend Section 624 of Title 7 of the 1940 Code of Alabama pertaining to the rights of creditors and beneficiaries under policies of life insurance.

Mr. Pinkston, Chairman of the Standing Committee on Business and Labor, reported that said committee in session had acted on the following bills and ordered same returned to the House without recommendation:

By Messrs. O'Neal, Malone, and Taylor (Hale) (without recommendation):

H. 429. To prohibit any individual being required as a condition of employment, or of continuance of employment, to be or remain, or to refrain from being or remaining, a member or affiliate of a labor organization, or to pay fees, assessments, or other sums of money, to a labor organization; to prohibit contracts between employers and labor organizations which require as a condition of employment of any individual, or of continuance of such employment, that such individual be or remain a member of a labor organization, or that such individual pay any fee, assessment, or

other sum of money, to a labor organization; to prohibit the involuntary deduction of fees, assessments, and other sums of money, from wages of employees; to prohibit contracts between employers and labor organizations requiring such involuntary deductions from wages of employees; to provide penalties for violations of this Act; to afford to individuals whose employment is affected by violations of this Act the remedy of injunction in certain cases, in addition to any other available remedy; to provide relief to individuals whose employment is affected by provisions contained in existing contracts between employers and labor organizations by declaring the public policy of this state with reference to such provisions, and by declaring such provisions to be void; to define certain terms; to repeal all laws and parts of laws in conflict herewith; and for other purposes.

By Messrs. O'Neal, Malone, and Taylor (Hale) (without recommendation):

H. 427. To prohibit the use of force, intimidation, violence, or threats thereof, to restrict or otherwise interfere with the right of any person to work or refrain from working, or to peaceably **conduct his business, or to require the membership or non-membership** of any person in a labor organization; to make unlawful certain acts of picketing, and certain assemblies in connection with labor disputes; to provide penalties for violations; to repeal all laws or parts of laws in conflict herewith; and for other purposes.

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Bennett:

H. 608. For the relief of Mrs. U. G. Brimer as compensation for the death of her husband, U. G. Brimer, deceased, of Calhoun County, Alabama, as result of injuries received while he was in the line of and performing his duties as a road employee of Calhoun County, Alabama.

By Mr. Weaver:

H. 617. To authorize the Sheriff of Winston County, Alabama, with the approval of the County Governing Body, to appoint three additional Deputies Sheriff whose salary, not to exceed \$900.00 annually, and the duration of service may be fixed and determined by said County Governing Body; to designate the county residence and the areas of service of said deputies, and to prescribe their duties and to require them to give bond as provided by the General Laws of Alabama; to provide that the salaries of said Deputies shall be paid out of the General Fund of the County, which shall be reimbursed out of certain fines, forfeitures, costs

and fees; to provide when this Act shall become inoperative, and to fix the effective date hereof.

By Mr. Shelton:

H. 611. To provide for meetings of the Board of Registrars in counties having a population of not less than seventy-five thousand nor more than one hundred thousand inhabitants.

By Mr. Broadwater:

H. 605. To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office.

By Messrs. Gibson, Sadler, Kaul, Meeks, Adams (Jefferson), Beatty, and Dumas:

H. 596. To Provide methods of appointment to and terms of office of certain Recorders of the City of Birmingham, Alabama; to define the powers, duties, and qualifications of such officers, and provide for the salaries of such officers and fixing the manner of payment of such salaries; to define the duties and powers of other officials with respect to said offices including the power to provide for filling absences of such officers during absence or disability and for other purposes.

By Mr. Langan:

S. 247. To authorize the county governing body of those counties having a population of more than 140,000 and less than 250,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

By Mr. Broadwater:

H. 603. To create and establish in Limestone County, in lieu of the existing court created by Act No. 362, approved July 6, 1931, and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and of civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

By Messrs. Dumas, Sadler, Adams (Jefferson), Meeks, and Gibson:

H. 597. To provide, in any city of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority

to sponsor, promote, develop and foster agriculture and industry, and to provide educational, cultural and recreational facilities, exhibits and exhibitions and places of amusement and entertainment for the citizens of such city; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the city to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the city to make appropriations or to lend money to the authority; and to accord the authority exemption from State, county and city taxation.

By Mr. Broadwater:

H. 604. To consolidate and combine the offices of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation.

By Messrs. Sullivan, Stone, and Johnston:

H. 606. To provide and fix the compensation of the Judge of the Inferior Criminal Court of Mobile County for services rendered from and after the passage of this Act in the Civil Division of the Inferior Criminal Court of Mobile County and to provide for the payment thereof out of the Treasury of Mobile County.

By Mr. Patterson:

S. 246. For the relief of M. M. Mathis, Russell County, Alabama: authorizing and directing the Russell County governing body to pay M. M. Mathis one hundred and fifty dollars for the loss of his mule, killed during 1946 by county road machinery in performance of county functions.

By Messrs. Thompson (Pike), and Shirley:

H. 609. To alter and extend the corporate limits of the Town of Brundidge, Pike County, Alabama, and rearrange and define the boundaries thereof:

Mr. Haynes (Franklin), Vice-Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Lowe, Allen, Boutwell, and Henderson:

S. 84. To make an appropriation for the support of the Council of State Governments.

By Messrs. Boutwell, Henderson, Allen, and Lowe:

S. 76. To make an appropriation for the support and maintenance of the Tuskegee Institute.

By Messrs. Boutwell, Allen, Henderson, and Lowe:

S. 77. To make an appropriation of \$150,000.00 to Tuskegee Normal and Industrial Institute to be expended for graduate work.

By Mr. Beatty:

H. 412. To amend Section 730 of Title 51, Article 9, Chapter 20, Code of Alabama 1940.

Mr. Haynes (Franklin), Vice-Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Mr. Callahan (with amendment):

H. 235. To amend Section 613, Title 51, Code of Alabama 1940, as amended by an Act entitled an Act to amend Section 613, Title 51, Code of Alabama 1940, Act No. 207, General Acts Regular Session 1943, approved June 22, 1943, page 185.

Mr. Haynes (Franklin), Vice-Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

By Mr. Roberts (with substitute):

H. 510. To amend Section 743, 744 and 745 of Title 37, Code of Alabama 1940, relating to privilege or license tax of certain utilities.

Mr. Leonard, Vice-Chairman of the Standing Committee on Public Welfare, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Clayton:

S. 125. To provide for the orderly administration of public assistance, and to give the grand juries of the respective counties the right to examine and verify in their discretion the lists of recipients of public assistance within the respective counties and to prohibit the disclosure or private use of information made available by reason of this act.

By Mr. Thompson (Crenshaw):

H. 495. To prohibit the infliction of corporal punishment of convicts and to prescribe penalties for violating this Act.

Mr. Leonard, Vice-Chairman of the Standing Committee on Public Welfare, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. Shelton, Larkins, Buckner, Wallace, Johnston, Gibson, Brown, and McGowin (with amendment):

H. 48. To amend Sections 240 and 241 of Title 45 of the 1940 Code, which relate to the payment of the expenses of persons committed to the Partlow State School for Mental Deficients.

Mr. Leonard, Vice-Chairman of the Standing Committee on Public Welfare, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

By Messrs. Wallace, Johnston, Gibson, Brown, Shelton, Larkins, Buckner, and McGowin (with substitute):

H. 46. To amend Sections 212 and 214 of Title 45 of the 1940 Code, which relate to the payment of expenses for the hospitalization of insane patients.

Mr. Ganey, Chairman of the Standing Committee on Health, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Henderson:

S. 120. To amend Sections 1 and 2 of Act No. 529, Regular Session, 1943, relating to the blood testing for syphilis of all persons residing in Alabama, approved July 1, 1943.

By Mr. Hankins:

H. 556. To amend Section 14 of Act No. 211, Regular Session, 1945, relating to public hospitals and related facilities, approved July 7, 1945.

By Mr. Wright:

S. 112. To regulate the handling, sale, and distribution of barbiturates.

By Mr. Fite:

S. 102. To amend Sections 4 and 9 of Act 211, approved July 7, 1945, which gives the State Board of Health and hospital associations authority to plan, acquire, construct, equip, maintain, and supervise hospitals, health centers, and related facilities for the treatment of disease, redefining the duties and terms of the advisory council to the State Board of Health and prescribing qualifications of directors of hospital associations.

Mr. Davis, Chairman of the Standing Committee on Transportation, reported that said committee in session had acted on the

following bills and ordered same returned to the House with a favorable report:

By Messrs. Martin and Coburn:

H. 541. To supplement Chapter 1 of Title 36 of the 1940 Code by providing for compulsory inspection of motor vehicles to determine mechanical fitness for safe operation upon a highway, and to make it a misdemeanor to violate the provisions of this Act.

By Mr. Langan:

S. 226. To authorize the Department of State Docks and Terminals of Alabama, with the approval of the Governor, to expand the port facilities of the State of Alabama to meet the present and prospective needs of trade and commerce; to acquire and operate additional properties and facilities; to borrow money and to issue and sell bonds, notes or certificates referred to herein as revenue securities; to provide the purposes for which such money may be borrowed; to provide for the form, tenor, effect, interest rates and maturities and payment of such revenue securities; to provide that such revenue securities shall not constitute indebtedness of the State of Alabama, and shall not pledge the faith or credit of the State of Alabama; to provide that such Revenue Securities may be payable from the gross revenues of the unit or units or facility or facilities in whole or in part acquired with the proceeds of such Revenue Securities and out of the gross revenues of said Department, subject to sinking fund requirements, certain operating expenses and other valid commitments; to provide for and authorize the pledge of such revenues to such revenue securities and to provide for the order of payment and priorities of payment of such revenue securities out of such revenue; to authorize the publication of notice concerning the issuance of such revenue securities and limiting the time within which any action may be brought to set aside or contest the validity of any such revenue securities or any proceeding authorizing same or any contractual obligations incurred in connection therewith; to provide for the acceptance of grants and to contract with reference to such grants; to provide for the funding or refunding of obligations of said department by the issuance of such revenue securities and to provide the effective date of this Act and repeal all laws and parts of laws in conflict with the Act.

By Messrs. Henderson and Owen:

S. 162. To amend Section 89, Article 2, Title 36 of the 1940 Code of Alabama as previously amended by an Act entitled "An Act to Amend Section 89, Article 2, Title 36 of the 1940 Code of Alabama", approved June 17, 1943.

By Messrs. Martin and Coburn:

H. 543. Supplemental to Title 36 of the 1940 Code, which relates to motor vehicles: prohibiting the sale and registration, on

or after January 1, 1948, of new motor vehicles which are not equipped with safety glass as required by the Act, and making a violation of the Act a misdemeanor.

By Messrs. Martin and Coburn:

H. 553. To amend Sections 5 and 40 of Title 36 of the 1940 Code, which relate to "rules of the road".

Mr. Davis, Chairman of the Standing Committee on Transportation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment.

By Messrs. Martin and Coburn (with amendment):

H. 545. To amend Section 66 of Title 36 of the 1940 Code, which relates to the issuance of drivers' licenses, by increasing the minimum age from fifteen to sixteen years.

The above and foregoing bills were severally read a second time and placed on the Calendar.

BILLS ON ADVERSE CALENDAR

Mr. Haynes (Franklin), Vice-Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

By Mr. Callahan (with an adverse report):

H. 232. To amend Section 542, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

By Messrs. Givhan, Lovelace, White (Perry), and Barnett (with an adverse report):

H. 321. To appropriate to each of the sixty-seven counties of the State of Alabama one-fourth of the proceeds of business license taxes collected by the State of Alabama in each county; to provide for the payment thereof to the counties; and to provide the expenditure thereof by the counties.

Mr. Leonard, Vice-Chairman of the Standing Committee on Public Welfare, reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

By Mr. Howell (with an adverse report):

H. 134. To provide financial security for the aged; prescribing rules and regulations for making grants of assistance; creating a Bureau of Old Age Security to administer the Act; defining its powers and duties; defining violations of the Act and prescribing punishments therefor.

The above and foregoing bills were read a second time and placed on the Adverse Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wallace:

H. 619. To create and establish a nursing school in the State of Alabama to be known as "School of Nursing, University of Alabama" to provide for its location, building, equipment, organization, operation, maintenance, ownership, management and control.

Health.

By Mr. Wallace:

H. 620. To amend Section 10 of Act No. 173, General Acts, 1945, page 304, which relates to the Department of Veterans Affairs.

Judiciary.

By Messrs. Dumas, Gibson, Beatty, Meeks, Sadler, Adams (Jefferson) (with notice and proof):

H. 621. For the relief of H. A. (Gus) Thompson and to authorize the County Commission of Jefferson County, Alabama, to pay to H. A. (Gus) Thompson the sum of One Hundred Fifty Dollars (\$150) for serving as clerk and assistant to the Election Commission of Jefferson County and performing services in the selection of clerks, managers and returning officers for the polls for elections held in 1946.

Local Legislation.

Notice and Proof H. 621:

LEGAL NOTICE

Notice is hereby given of intention to apply for the passage of a special, private or local law for the relief of H. A. (Gus) Thompson at the 1947 regular session of the Legislature, which bill will be substantially as follows:

A BILL TO BE ENTITLED AN ACT

For the relief of H. A. (Gus) Thompson and to authorize the County Commission of Jefferson County, Alabama, to pay to H. A. (Gus) Thompson the sum of One Hundred Fifty Dollars (\$150) for serving as clerk and assistant to the Election Commission of Jefferson County and performing services in the selection of clerks, managers and returning officers for the polls for elections held in 1946.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The County Commission of Jefferson County, Alabama, is hereby authorized to appropriate and cause to be paid over to H. A. (Gus) Thompson, the sum of One Hundred Fifty Dollars (\$150) for services which he rendered as clerk and assistant to the Election Commission of Jefferson County in selecting clerks, managers and returning officers for the various polling places in Jefferson County for elections held in said County in 1946.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.
Industrial Press, June 12, 19, 26 and July 3.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

C. G. Thomason, who is known to me, personally appeared before me this 3rd day of July, 1947, and upon oath states that he is publisher of The Industrial Press, a newspaper of general circulation in the County of Jefferson, State of Alabama, and further declares that the attached advertisement is a true copy which appeared in the said Industrial Press on the following dates, to-wit: June 12, 19, 26, and July 3, 1947.

C. G. THOMASON,
Publisher The Industrial Press.

Subscribed and sworn to before me this 7th day of July, 1947.

MRS. INEZ MATZAT,
Notary Public

(SEAL)

By Messrs. Adams (Jefferson), Beatty, Meeks, Gibson:

H. 622. An Act to amend Title 14, Chapter 40, Article 2, Section 177 of the Code of Alabama of 1940.

Judiciary.

By Messrs. Adams (Jefferson), Gibson, Beatty, Meeks:

H. 623. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000), or more, according to the last or any subsequent Federal census to pay into the county treasury all fees, cost, commissions, and prerequisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

Local Legislation.

By Mr. Dumas:

H. 624. To amend Section 20 of Act No. 248 of the regular session of the Legislature of Alabama of 1945 (General Acts of 1945, page 376).

Local Legislation.

By Messrs. Adams (Jefferson) and Wood (Washington):

H. 625. To make it unlawful for any person to transport a live fox, and prescribing the penalty for violations.

Conservation.

By Messrs. Adams (Jefferson) and Wood (Washington):

H. 626. To make it a misdemeanor to release a live fox upon the lands of another without written permission.

Conservation.

By Messrs. Ingalls, Sightler, Pinkston, Busby (with notice and proof):

H. 627. To authorize and require the Board of Revenue of Montgomery County, Alabama, to provide a pension or retiring allowance plan for the employees of said County, but not for the elective officials.

Judiciary.

Notice and Proof H. 627:

NOTICE

To Whom It May Concern:

Notice is hereby given that a bill will be introduced in the Legislature of Alabama in the 1947 Session thereof, which bill is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To authorize and require the Board of Revenue of Montgomery County, Alabama, to provide a pension or retiring allowance plan for the employees of said County, but not for the elective officials.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue of Montgomery County, Alabama, is hereby authorized and required to provide a pension or retiring allowance plan for the employees of said County and to allow present County employees who have heretofore been employees of this County's school system, provided they be not included under some other pension plan, to count such service as having been rendered continuously in their present positions; and, also allowing the County employees who serve in the military or naval forces of this country between service periods for this County to count such service as having been rendered this County; and, also allowing employees who served as temporary acting officials, during the period the regular elective officials served in the military or naval forces of this country, to count such service as having been rendered this County as regular and continuous employees within the meaning of this act. This Act shall not be construed or interpreted to provide a pension for elective officials.

Section 2. Any such employee of Montgomery County who shall have been in continuous service of said County for as long as twenty consecutive years and shall have attained the age of fifty years, or who shall have been in the service

of said county for as long as twenty-four years, the last fourteen years of which have been continuous and the other ten years for which credit is sought were in not more than three periods, two of which were for terms of not less than four consecutive years and shall have attained the age of fifty years, upon making written application therefor to the Board of Revenue of said County, or upon being retired by any means provided in this Act, shall be retired from said employment service of said County, and upon such minimum retirement, such retired employee shall be paid, and the Board of Revenue of said County shall order and direct the payment of such employee, monthly or otherwise as active employees are paid, during the remainder of his or her natural life, a sum equal to one half of the highest monthly compensation paid to such employee from the funds of said County during his or her service period, provided such payments shall not exceed One Hundred Dollars per month to any such retired employee. Any employee of said County who has been in continuous service as long as twenty consecutive years or who shall have been in the service of said County for as long as twenty-four years, the last fourteen years of which have been continuous but who continues to work for the County an additional year, or number of years, before making written application for retirement or upon being retired by any means provided in this Act, shall be paid during the remainder of his or her natural life, a sum equal to his or her minimum retirement plus an additional two per centum of his highest monthly salary multiplied by the number of completed years of additional service—not to exceed ten additional years and not to exceed \$100.00 over and above his or her minimum service period payment; provided, however, that no person now drawing a pension by reason of any law now in existence shall be affected by this Act.

Section 3. The Board of Revenue, with or without the approval of any employing official of said County, whether elective or appointive, may after giving thirty days notice in writing to an employee who is eligible for retirement, and after reasonable investigation, if said Board is convinced that any such employee has become unable physically, mentally or otherwise to perform efficiently the duties assigned to him or her, the Board of Revenue may order such employee retired as provided in Section 2 of this Act.

Section 4. Payments under this Act to retired County employees shall be made in the same manner and at the same times and from the same funds as salaries and compensation are made to regular active employees of the Department in which such employee was employed by this County.

Section 5. Nothing included in this Act shall be considered or construed to take from the elective officers of this County, including the Board of Revenue and its duly authorized agents, the power to dismiss from the service of this County any of its active employees who for any cause fails or refuses to render faithful or efficient service.

Section 6. The Board of Revenue of Montgomery County shall hear and decide all applications for pensions under this Act and the decisions on such applications shall be final and conclusive and not subject to review or reversal except by such authority itself.

Section 7. There shall be kept by the clerk of the Board of Revenue a book to be known as the "Register of Retired Employees." This book shall contain a complete record of the services of said employees together with a copy of action of the Board of Revenue of said County in retiring any and all employees under this Act. The retirement of any employees under the provisions of this Act shall be spread upon its minutes.

Section 8. In case of any dispute arising out of or over the provisions of this Act, or the interpretation of any of the provisions thereof, the decision of the Board of Revenue shall be final and conclusive.

Section 9. No part of any pension paid or subject to payment under the provisions of this Act, shall, before or after its payment to a beneficiary hereunder, be seized or held or be in anywise subject to garnishment or levy of execution or attachment or other process issued out of any court of this state, or of any other state so far as same may be sought to respond to the payment or satisfaction in whole or in part, of any debt, damage, demand, claim, judgment or decree against any beneficiary under said pension system, but shall be exempt

therefrom nor shall the whole or any part of any such pension, or the right thereto, be assigned, and any assignment thereof shall be void and unenforceable.

Section 10. Any and all laws or parts of laws in conflict herewith are expressly repealed. If any part or parts of this Act shall be declared unconstitutional it shall not affect the remaining part or parts of this Act.

Section 11. This Act shall take effect on its passage and approval by the Governor or otherwise becoming a law.

Adv.—June 16-23-30, July 7.

STATE OF ALABAMA MONTGOMERY COUNTY

Before me, T. A. Hardy, a notary public in and for the State and County aforesaid personally appeared P. W. Walsh, who being first duly sworn by me deposes and says that he is Secretary for The Advertiser Company publishers of The Montgomery Advertiser and that the attached advertisement was published in said newspaper on the following dates June 16, 23, 30, July 7, 1947.

P. W. WALSH,

Sworn to and subscribed before me this 7 day of July 1947.

T. A. HARDY,
Notary Public.

By Mr. Stone:

H. 628. To amend Section 95 of Title 47 of the Alabama Code of 1940.

Judiciary.

By Mr. Roberts:

H. 629. To authorize and direct the several counties of the state to provide suitable offices for the use and occupancy of probation officers.

Judiciary.

By Mr. Stone:

H. 630. To Amend Section 655 of Title 51 of the Alabama Code of 1940. Relating to distribution of proceeds of gasoline tax.

Judiciary.

By Messrs. Shelton and Callahan:

H. 631. To further regulate the use of voting machines and to authorize counties to enter into certain agreements in regard thereto.

Constitution and Elections.

By Mr. Callahan:

H. 632. To amend Section 693, Title 51, Article 8, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Mr. Callahan:

H. 633. To amend Section 705, Title 51, Article 8, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Mr. White (Perry):

H. 634. To amend Section 11 of an Act entitled "An Act to provide for State aid in the construction of county roads, as herein defined, and for that purpose to appropriate money out of the State Public Road and Bridge Fund to be used with an equal amount of money appropriated by the counties out of their Gasoline Excise Tax Funds for such construction, to be used under joint supervision of the County and the State Highway Department through a division thereof to be known as the Bureau of County Aid; and to authorize the State Highway Department to make rules and regulations necessary or convenient for the administration of this act," approved July 1, 1943, as amended by section 5 of an Act entitled "An Act to amend the caption and Sections 1, 2, 5, 11, 12 and 13 of an Act entitled an Act to provide for State aid in the construction of county roads, as herein defined, and for that purpose to appropriate money out of the State Public Road and Bridge Fund to be used with an equal amount of money appropriated by the counties out of their Gasoline Excise Tax Funds for such construction, to be used under the joint supervision of the County and the State Highway Department through a division thereof to be known as the Bureau of County Aid; and to authorize the State Highway Department to make rules and regulations necessary or convenient for the administration of this Act, approved July 1, 1943, Reported Acts 1943, pages 311-315," approved June 1, 1945.

Local Government.

By Mr. White (Perry):

H. 635. To amend Section 13 of an Act entitled "An Act to provide for State aid in the construction of county roads, as herein defined, and for that purpose to appropriate money out of the State Public Road and Bridge Fund to be used with an equal amount of money appropriated by the counties out of their Gasoline Excise Tax Funds for such construction, to be used under the joint supervision of the County and the State Highway Department through a divisions thereof to be known as the Bureau of County Aid; and to authorize the State Highway Department to make rules and regulations necessary or convenient for the administration of this act," approved July 1, 1943, as amended by section 7 of an Act entitled "An Act to amend the caption and Sections 1, 2, 5, 11, 12 and 13 of an Act entitled an Act to provide for State aid in the construction of county roads, as herein defined, and for that purpose to appropriate money out of the State Public Road and Bridge Fund to be used with an equal amount of money appropriated by the counties out of their Gasoline Excise Tax Funds for such construction, to be used under the joint supervision of the County and the State Highway Department through a division thereof to be known as the Bureau of County Aid; and to authorize the State Highway Department to make rules and regulations necessary

or convenient for the administration of this Act, approved July 1, 1943, Reported Acts 1943, pages 311-315," approved June 1, 1945.

Local Government.

By Messrs. Black, McDanal:

H. 636. To provide that an informer's fee shall be paid for the furnishing of information leading to the conviction of any person, under the provisions of Section 79 of Title 8 of the 1940 Code of Alabama, for taking, catching, or killing or attempting to take, catch, or kill fish by poisoning the water in which they are found, or by the use of carbide, lime, or any explosive substance.

Conservation.

BILLS ON THIRD READING

H. 586. To provide for advance payment out of the fine and forfeiture fund of Covington County, Alabama, after registration, of certain officers' claims and witness certificates for attendance before the grand jury and the Circuit Court of Covington county; to provide for the reimbursement of said fund when the Clerk of the Circuit Court receives payment of such paid claims and certificates; and to prescribe the duties of the Clerk of the Circuit Court and of the custodian of the fine and forfeiture fund with respect to the payments herein authorized.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

| | | | |
|--------------|------------------|------------|---------------------|
| Messrs.: | Dyar | McDonald | Still |
| Adams (Dale) | Faulk | McIlwain | Stone |
| Benford | Ganey | Mason | Taylor (Autauga) |
| Bennett | George | Miller | Thagard |
| Black | Givhan | Mitchell | Thompson (Crenshaw) |
| Brannan | Hankins | Nelson | Tucker |
| Broadwater | Harrison | Nettles | Wallace |
| Buckner | Haynes (Lowndes) | Pinson | Weaver |
| Bush | Head | Richardson | Whitcomb |
| Callahan | Howell | Roberts | White (Covington) |
| Coburn | Inzer | Sellers | White (Perry) |
| Cox | Johnston | Shelton | Wood (Bibb) |
| Crocker | Knight | Shirley | Wood (Washington) |
| Denton | Larkins | Sightler | |
| Duffee | McClendon | | |

—56

And the bill:

H. 564. To repeal Act 259, approved June 28, 1945, entitled "An Act To authorize and empower the Court of County Commissioners of St. Clair County, Alabama, to expend County Funds not exceeding \$5,000.00 per annum for purposes not otherwise provided for by law."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|---------------------|
| Messrs.: | Ganey | McDonald | Shirley |
| Adams (Dale) | Garrett | McGowin | Stewart |
| Beatty | George | McIlwain | Still |
| Benford | Gibson | Mason | Stone |
| Brannan | Givhan | Meeks | Sullivan |
| Broadwater | Hankins | Merrill | Taylor (Autauga) |
| Brown | Harris | Miller | Taylor (Hale) |
| Buckner | Harrison | Mitchell | Thagard |
| Bush | Haynes (Franklin) | Molette | Thompson (Crenshaw) |
| Callahan | Haynes (Lowndes) | Nelson | Tucker |
| Coburn | Head | Nettles | Wallace |
| Cox | Howell | Pinson | Ward |
| Denton | Inzer | Richardson | Weaver |
| Dobbs (Elmore) | Johnston | Roberts | White (Covington) |
| Duffee | Knight | Robinson | White (Perry) |
| Dyar | Larkins | Sadler | Wood (Bibb) |
| Evans | McClendon | Sellers | Wood (Washington) |
| Faulk | McDanal | Shelton | |

—70

And the bill:

H. 584. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Colbert County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|---------------------|
| Messrs.: | Evans | McDonald | Shirley |
| Adams (Dale) | Faulk | McIlwain | Snodgrass |
| Beatty | Ganey | Mason | Stewart |
| Benford | Garrett | Merrill | Still |
| Brannan | George | Miller | Stone |
| Broadwater | Hankins | Mitchell | Sullivan |
| Brown | Harris | Molette | Taylor (Autauga) |
| Buckner | Harrison | Nelson | Taylor (Hale) |
| Busby | Haynes (Franklin) | Nettles | Thompson (Crenshaw) |
| Bush | Haynes (Lowndes) | Norman | Tucker |
| Callahan | Head | Pinson | Wallace |
| Coburn | Howell | Richardson | Weaver |
| Cox | Ingalls | Roberts | White (Covington) |
| Denton | Inzer | Robinson | White (Perry) |
| Dobbs (Elmore) | Johnston | Sadler | Wood (Bibb) |
| Duffee | Knight | Sellers | Wood (Washington) |
| Dumas | Larkins | Shelton | |
| Dyar | | | |

—67

And the bill:

H. 569. To submit to the qualified electors of the State of Alabama at an election to be held on the First Tuesday after the expiration of three months after the final adjournment of the Regular Session of the 1947 Legislature for their consideration an amendment to the Constitution of Alabama for the purpose of levying and collecting in the City of Tuscaloosa and in the several school districts of Tuscaloosa County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes and providing for the issuance of bonds arising from the funds of said special school tax for the construction and improvement of public school buildings and acquiring sites therefor.

Proposing an amendment to the Constitution, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

| | | | |
|----------------|-------------------|------------|-------------------|
| Messrs.: | Evans | McDanal | Shirley |
| Adams (Dale) | Faulk | McGowin | Sightler |
| Beatty | Ganey | McIlwain | Snodgrass |
| Benford | Garrett | Mason | Still |
| Brannan | George | Meeks | Stone |
| Brassell | Gibson | Merrill | Sullivan |
| Broadwater | Hankins | Miller | Taylor (Autauga) |
| Buckner | Harris | Mitchell | Taylor (Hale) |
| Busby | Harrison | Molette | Thagard |
| Bush | Haynes (Franklin) | Nelson | Thomp- |
| Callahan | Haynes (Lowndes) | Nettles | son (Crenshaw) |
| Coburn | Head | Norman | Tucker |
| Cox | Howell | Pinson | Vann |
| Davis | Ingalls | Richardson | Wallace |
| Denton | Inzer | Roberts | Weaver |
| Dobbs (Elmore) | Johnston | Robinson | White (Covington) |
| Duffee | Knight | Sadler | Wood (Bibb) |
| Dumas | Larkins | Sellers | Wood (Washington) |
| Dyar | McClendon | Shelton | —73 |

H. 317 POSTPONED

On motion of Mr. Wallace, the bill, H. 317, was postponed to the 16th Legislative Day.

H. 3 RE-REFERRED

On motion of Mr. Wallace the bill, H. 3, was re-referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

(With amendment):

H. 241. To provide that every person of sound mind, twenty-one years of age or over, may prescribe the disposition to be made of his body after death; making it a misdemeanor for any person, firm or corporation to prevent the disposition specified.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Health, said committee amendment being as follows:

AMENDMENT TO HOUSE BILL NO. 241

Amend House Bill No. 241 by adding the following sentence after the word "death" at the end of the first sentence in Section 1. "Such person shall have the right and authority to revoke such disposition by a like instrument in writing filed in the office of the Judge of Probate in the county where the original instrument was filed."

And the amendment was adopted.

Yeas 67; Nays 0.

Yeas:

| | | | |
|----------------|------------------|------------|-------------------|
| Messrs.: | Dyar | Johnston | Shelton |
| Adams (Dale) | Evans | Larkins | Shirley |
| Barnett | Faulk | McClendon | Sightler |
| Beatty | Ganey | McGowin | Still |
| Benford | Garrett | Mason | Taylor (Autauga) |
| Brannan | George | Meeks | Taylor (Hale) |
| Brassell | Gibson | Merrill | Thagard |
| Broadwater | Givhan | Miller | Thompson |
| Brown | Hankins | Mitchell | son (Crenshaw) |
| Buckner | Harris | Nelson | Tucker |
| Busby | Harrison | Nettles | Wallace |
| Callahan | Haynes (Lowndes) | Norman | Ward |
| Coburn | Head | Pinkston | Weaver |
| Cox | Hornsby | Richardson | Whitcomb |
| Crocker | Howell | Roberts | White (Covington) |
| Davis | Ingalls | Robinson | Wood (Bibb) |
| Dobbs (Elmore) | Inzer | Sadler | Wood (Washington) |
| Duffee | | | |

—67

And said bill, H. 241, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 8.

Yeas:

| | | | |
|----------|----------|------------|--------|
| Messrs.: | Benford | Broadwater | Busby |
| Barnett | Brannan | Brown | Bush |
| Beatty | Brassell | Buckner | Coburn |

| | | | |
|---------|------------------|------------|-------------------|
| Cox | Harris | Mason | Sellers |
| Crocker | Harrison | Meeks | Sightler |
| Davis | Haynes (Lowndes) | Merrill | Stewart |
| Denton | Head | Miller | Still |
| Duffee | Hornsby | Nelson | Taylor (Autauga) |
| Dyar | Howell | Nettles | Thagard |
| Evans | Ingalls | Norman | Tucker |
| Faulk | Inzer | Pinkston | Wallace |
| Ganey | Johnston | Pinson | Ward |
| Garrett | Lovelace | Ramey | Weaver |
| George | McClendon | Richardson | Whitcomb |
| Gibson | McGowin | Roberts | White (Covington) |
| Givhan | McIlwain | Robinson | Wood (Washington) |
| Hankins | | | —64 |

Nays:

| | | | |
|--------------|---------|---------------------|-------------|
| Messrs.: | Larkins | Shirley | Wood (Bibb) |
| Adams (Dale) | Sadler | Thompson (Crenshaw) | —8 |
| Callahan | Shelton | | |

And the bill:

H. 314. To amend Sections 1, 3, 4, 5, and 12 of Act 515, approved July 9, 1945.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|---------------------|
| Messrs.: | Dumas | Lovelace | Shirley |
| Adams (Dale) | Dyar | McClendon | Sightler |
| Adams (Jefferson) | Faulk | McIlwain | Snodgrass |
| Barnett | Ganey | Martin | Stone |
| Beatty | Garrett | Mason | Sullivan |
| Benford | George | Mathison | Taylor (Autauga) |
| Black | Gibson | Merrill | Taylor (Hale) |
| Brannan | Givhan | Miller | Thagard |
| Broadwater | Hankins | Mitchell | Thompson (Crenshaw) |
| Buckner | Harris | Nettles | Thompson (Pike) |
| Busby | Harrison | Norman | Tucker |
| Bush | Haynes (Lowndes) | Pinkston | Wallace |
| Callahan | Head | Pinson | Ward |
| Coburn | Hornsby | Ramey | Weaver |
| Cox | Howell | Richardson | Whitcomb |
| Crocker | Ingalls | Roberts | White (Covington) |
| Davis | Inzer | Robinson | White (Perry) |
| Denton | Johnston | Sadler | Wood (Bibb) |
| Dobbs (Elmore) | Knight | Sellers | Wood (Washington) |
| Doughty | Larkins | Shelton | —80 |
| Duffee | Leonard | | |

And the bill:

(With amendment):

H. 168. To authorize and empower and require the County Boards of Education of the several counties of the State of Alabama to pay the costs and expenses of the biennial school census of said counties.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Government, said committee amendment being as follows:

AMENDMENTS TO H. 168

Amend H. 168 by striking from the caption the words "and require".

Also, amend by striking the words "and required" from Section 1.

And the amendment was adopted.

Yeas 68; Nays 4.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Messrs.: | Duffee | McIlwain | Shelton |
| Adams (Dale) | Dyar | Martin | Sightler |
| Adams (Jefferson) | Faulk | Mason | Snodgrass |
| Beatty | Garrett | Meeks | Still |
| Benford | George | Merrill | Stone |
| Black | Givhan | Miller | Sullivan |
| Brannan | Hankins | Mitchell | Taylor (Autauga) |
| Broadwater | Harris | Molette | Taylor (Hale) |
| Busby | Harrison | Nettles | Thompson (Crenshaw) |
| Bush | Haynes (Franklin) | Norman | Tucker |
| Callahan | Hornsby | Pinkston | Wallace |
| Cobb | Ingalls | Pinson | Ward |
| Coburn | Inzer | Ramey | White (Covington) |
| Cox | Johnston | Richardson | White (Perry) |
| Davis | Larkins | Roberts | Wood (Bibb) |
| Denton | Leonard | Robinson | Wood (Washington) |
| Dobbs (Elmore) | Lovelace | Sellers | |
| Doughty | McClendon | | |

—68

Nays: Messrs.: Barnett, Knight, Mathison, Nelson

—4

And said bill, H. 168, as amended, was read a third time at length and passed.

Yeas 60; Nays 13.

Yeas:

| | | | |
|--------------|-------------------|-----------|-----------|
| Messrs.: | Davis | Howell | Molette |
| Adams (Dale) | Denton | Inzer | Nettles |
| Beatty | Dobbs (Elmore) | Johnston | Norman |
| Benford | Doughty | Leonard | Pinkston |
| Brannan | Dyar | Lovelace | Pinson |
| Broadwater | Faulk | McClendon | Ramey |
| Buckner | Garrett | McIlwain | Roberts |
| Busby | George | Martin | Shelton |
| Bush | Givhan | Mason | Sightler |
| Callahan | Hankins | Meeks | Snodgrass |
| Cobb | Harrison | Merrill | Still |
| Coburn | Haynes (Franklin) | Miller | Stone |
| Cox | Head | Mitchell | Sullivan |

| | | | |
|---------------------|---------|--------|-------------------|
| Taylor (Autauga) | Tucker | Ward | White (Covington) |
| Taylor (Hale) | Wallace | Weaver | Wood (Washington) |
| Thompson (Crenshaw) | | | |

—60

Nays:

| | | | |
|----------|---------|------------|----------|
| Messrs.: | Dumas | Mathison | Sellers |
| Barnett | Ganey | Nelson | Shirley |
| Black | Knight | Richardson | Whitcomb |
| Crocker | Larkins | | |

—13

BILLS POSTPONED

On motion of Mr. Martin the bill, H. 169, was postponed to the 21st Legislative Day.

On motion of Mr. Stone the bill, H. 324, was postponed to the 16th Legislative Day.

On motion of Mr. Lovelace the bill, H. 177, was postponed to the 16th Legislative Day.

NOTICE IN WRITING

Notice is hereby given that a motion will be made on the Sixteenth Legislative Day to take House Bill No. 321 from the Adverse Calendar, and place same on the Regular Calendar.

Wm. A. Barnett

W. C. Givhan

Flournoy Lovelace

BILLS ON THIRD READING RESUMED

H. 338. To validate marriages of persons married subsequent to a divorce decree not prohibiting the person from remarrying even though the divorce decree did not specifically confer on the person the right to remarry.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|----------------|----------------|-------------------|----------------|
| Messrs.: | Callahan | Ganey | Ingalls |
| Adams (Dale) | Cobb | Garrett | Inzer |
| Barnett | Coburn | George | Johnston |
| Beatty | Cox | Gibson | Knight |
| Benford | Crocker | Givhan | Larkins |
| Bennett | Davis | Hankins | Leonard |
| Brannan | Denton | Harrison | McClendon |
| Broadwater | Doughty | Haynes (Franklin) | McDanal |
| Brown | Duffee | Haynes (Lowndes) | McGowin |
| Buckner | Dumas | Head | McIlwain |
| Busby | Dyar | Hornsby | Martin |
| Bush | Faulk | Howell | Mason |

| | | | |
|----------|------------|------------------|-------------------|
| Mathison | Pruitt | Stewart | Tucker |
| Meeks | Ramey | Still | Wallace |
| Merrill | Richardson | Stone | Ward |
| Miller | Roberts | Taylor (Autauga) | Weaver |
| Molette | Robinson | Taylor (Hale) | Whitcomb |
| Nelson | Sellers | Thagard | White (Perry) |
| Nettles | Shirley | Thomp- | Wood (Bibb) |
| Pinkston | Sightler | son (Crenshaw) | Wood (Washington) |
| Pinson | | | —79 |

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House bill and returns same herewith to the House:

H. 218. To amend Section No. 119 of Title 5 of the 1940 Code of Alabama; so as to authorize banks in Alabama to pledge assets as security for deposits of county or municipal funds.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Harris, the House concurred in and adopted the Senate amendment to the bill, H. 218, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 119 of Title 5 of the Code of Alabama 1940 so as to authorize Banks in Alabama to pledge assets as security for deposits of county or municipal funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 119 of Title 5 of the Code of Alabama of 1940 be and the same is hereby amended so as to read as follows:

No. 119 Pledge of assets as security. Any bank authorized to pledge acceptable assets as security for the deposits of United States Postal Savings funds; or as security for deposits of County funds; or as security for City, Town, or Village funds.

Section 2. This Act shall be effective immediately.

Yeas 74; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Messrs.: | Dumas | McClendon | Sellers |
| Adams (Dale) | Dyar | McDanal | Shelton |
| Beatty | Faulk | McGowin | Shirley |
| Benford | Ganey | McIlwain | Sightler |
| Black | Garrett | Martin | Stewart |
| Brannan | Gibson | Mason | Taylor (Autauga) |
| Broadwater | Givhan | Mathison | Taylor (Hale) |
| Brown | Hankins | Miller | Thagard |
| Buckner | Harris | Molette | Thomp- |
| Busby | Harrison | Nelson | son (Crenshaw) |
| Bush | Haynes (Franklin) | Nettles | Thompson (Pike) |
| Callahan | Haynes (Lowndes) | Pinkston | Tucker |
| Cobb | Head | Pinson | Wallace |
| Coburn | Howell | Pruitt | Ward |
| Crocker | Ingalls | Ramey | Weaver |
| Davis | Inzer | Richardson | Whitcomb |
| Denton | Knight | Roberts | White (Perry) |
| Doughty | Larkins | Robinson | Wood (Bibb) |
| Duffee | Leonard | Sadler | Wood (Washington) |

—74

RESOLUTION

The following resolution was introduced:

By Messrs. Haynes of Franklin and Roberts:

H.R. 44. BE IT RESOLVED that House bill 187, to amend Section 728 title 51 Article 9 Chapter 20 Code of Ala. 1940, relating to tax on tobacco, be made a special order of the day for the next legislative day.

H.R. 44 was referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Owens:

S. 219. To amend Section 347 of Title 48 of the Code of Alabama of 1940.

Also:

By Mr. Fite:

S. 249. To permit the joining of two or more parties as defendants in all actions ex contractu where doubt exists as to the person from whom the plaintiff is entitled to redress.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 219. Judiciary

S. 249. Judiciary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 43. Relative to adjournment of the two Houses until Tuesday, July 15, 1947 at 10 o'clock A.M.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended has adopted the following House Joint Resolution:

H.J.R. 29. Relative to installation of air conditioning on the third floor of the Capitol Building.
and returns same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Adams (Jefferson), the House concurred in and adopted the Senate amendment to H.J.R. 29, said Senate amendment being as follows:

Substitute for House Joint Resolution No. 29:

HOUSE JOINT RESOLUTION

Authorizing and directing the Clerk of the House of Representatives and the Secretary of the Senate to negotiate for, acquire, and supervise the installation of air conditioning on the third floor of the State capitol building.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. The Clerk of the House of Representatives and the Secretary of the Senate are authorized and directed to negotiate for, acquire, and supervise the installation of air conditioning on the third floor of the State capitol building, "with the advice and approval of a joint committee consisting of three members each from the Rules Committee of the House and Senate, said committees to be appointed by the Chairman of each of the Standing Rules Committees."

2. Payment for the acquisition and installation of such air conditioning system or systems shall be made from funds to the credit of the Building Commission of Alabama.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 477. To amend Section V of an Act entitled "To provide for an election of a County Superintendent of Education for Marion County, Alabama, to fix his term of office to provide for filling vacancies therein, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, and to provide for his successor in office.

Also:

H. 478. To allow members of the County Board of Education of Marion County pay not more than 24 days in one year, payable from the General School Funds of Marion County, Alabama.

Also:

H. 308. To authorize and empower water works boards now or hereafter existing under the provisions of Alabama Code of 1940, Title 37, sections 394 to 402, to have and exercise the same powers, functions, and duties, rights and privileges with respect to gas plants and systems as they now have with respect to water works plants and systems; to authorize water works boards to acquire by purchase, construction or condemnation gas plants and systems; to authorize the issuance of revenue bonds to finance such gas plants and systems; to authorize municipal corporations to transfer and convey municipally owned gas plants and systems to such water works boards; and to authorize such water works boards to combine any water works plant and system owned by it with a gas plant and system owned by it; to prescribe the conditions under which such water works boards may engage in the business of furnishing gas for industrial, domestic, or other consumption in a territory in which there is in existence at the time

a plant or distribution system, or any part thereof furnishing such service; and to provide a method by which such water works boards may acquire such existing facilities at a price to be agreed upon by the parties or fixed by the Alabama public service commission; to provide for a hearing of such matters by the commission; and to provide for appeals from orders, judgments and decrees entered therein; and to authorize the change in name of any water works board.

J. E. Speight,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Johnston:

H.R. 45. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that H.B. 158, H.B. 77, H.B. 8, S.B. 68, H.B. 7, H.B. 78, H.B. 81, H.B. 75, H.B. 76, H.B. 88, H.B. 6, H.B. 9 be made special, continuing and paramount orders for the 15th legislative day.

H. R. 45 was referred to the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:55 A.M. on July 11, 1947.

H. 19

H. 20

H. 24

H. 31

H. 82

H. 115

H. 138

H. 163

H. 167

H. 209

H. 210

H. 216

H. 233

H. 269

H. 278

H. 294

H. 311

H. 349

H. 372

H. 373

H. 387

H. 409

H. 442

H. 472

H. 473

H. 474

H. 475

H. 484

R. T. Goodwyn, Jr.,
Clerk.

ADJOURNMENT

On motion of Mr. Wood (Bibb), the House, in accordance with H.J.R. 43 heretofore adopted, adjourned until Tuesday, July 15, 1947, at 10 o'clock, A.M.

FIFTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 15, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend A. S. Turnipseed, pastor of Dexter Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|-------------------|-------------------|
| Mr. Speaker | Dumas | McClendon | Sellers |
| Adams (Dale) | Dyar | McDanal | Shelton |
| Adams (Jefferson) | Evans | McDonald | Shirley |
| Barnett | Faulk | McGowin | Sightler |
| Beatty | Frasier | McIlwain | Snodgrass |
| Benford | Ganey | Malone | Stewart |
| Bennett | Garrett | Martin | Still |
| Black | George | Mason | Stone |
| Brannan | Gibson | Mathison | Sullivan |
| Brassell | Gillis | Meeks | Taylor (Autauga) |
| Broadwater | Givhan | Merrill | Taylor (Hale) |
| Brown | Hankins | Miller | Thagard |
| Buckner | Harris | Mitchell | Thomas |
| Busby | Harrison | Molette | Thompson |
| Bush | Haynes (Franklin) | Nelson | son (Crenshaw) |
| Callahan | Haynes (Lowndes) | Norman | Thompson (Pike) |
| Cobb | Head | O'Neal | Tucker |
| Coburn | Hornsby | Pinkston | Vann |
| Cole | Howell | Pinson | Wallace |
| Cox | Ingalls | Pruitt | Ward |
| Crocker | Inzer | Ramey | Weaver |
| Davis | Johnston | Richardson | Whitcomb |
| Denton | Kaul | Roberts | White (Covington) |
| Dobbs (Elmore) | Knight | Robinson | White (Perry) |
| Dobbs (Fayette) | Larkins | Rogers | Wood (Bibb) |
| Doughty | Leonard | Sadler | Wood (Washington) |
| Duffee | Lovelace | | |

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourteenth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the fourteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the fourteenth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that said Committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to wit:

By Messrs. McDonald, Head, Ramey, and Martin:

H. 168. To authorize and empower the County Boards of Education of the several counties of the State of Alabama to pay the costs and expenses of the biennial school census of said counties.

W. M. Beck,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bills and House Joint Resolution, to wit:

H. 218. To amend Section 119 of Title 5 of the Code of Alabama 1940 so as to authorize Banks in Alabama to pledge assets as security for deposits of county or municipal funds.

Also:

H. 308. To authorize and empower water works boards now or hereafter existing under the provisions of Alabama Code of 1940, Title 37, sections 394 to 402, to have and exercise the same powers, functions, and duties, rights and privileges with respect to gas plants and systems as they now have with respect to water works plants and systems; to authorize water works boards to acquire by purchase, construction or condemnation gas plants and systems; to authorize the issuance of revenue bonds to finance such gas plants and systems; to authorize municipal corporations to transfer and convey municipally owned gas plants and systems to such water works boards; and to authorize such water works boards to combine any water works plant and system owned by

it with a gas plant and system owned by it; to prescribe the conditions under which such water works boards may engage in the business of furnishing gas for industrial, domestic, or other consumption in a territory in which there is in existence at the time a plant or distribution system, or any part thereof furnishing such service; and to provide a method by which such water works boards may acquire such existing facilities at a price to be agreed upon by the parties or fixed by the Alabama public service commission; to provide for a hearing of such matters by the commission; and to provide for appeals from orders, judgments and decrees entered therein; and to authorize the change in name of any water works board.

Also:

H. 477. To amend Section V of an Act entitled "To provide for an election of a County Superintendent of Education for Marion County, Alabama, to fix his term of office to provide for filling vacancies therein, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, and to provide for his successor in office.

Also:

H. 478. To allow members of the County Board of Education of Marion County pay not more than 24 days in one year, payable from the General School Funds of Marion County, Alabama.

Also:

H.J.R. 29. Relative to air conditioning the third floor of Alabama State Capitol Building.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Patterson:

S. 127. To provide for the establishment, acquisition, construction, maintenance, and operation of motor vehicle parking lots by incorporated municipalities.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 127. Local Government

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Lowe:

S. 231. To authorize and provide for the payment of the sum of \$1800.00 out of any funds in the State Treasury to the credit of the Highway Patrol Fund for the relief of A. S. Logel, to reimburse him for hospital, doctor and medical bills, and for the permanent loss of the sight of his right eye, by reason of an accident occurring on the 19 day of March, 1944, while the said A. S. Logel was employed by the State of Alabama as a member of the State Highway Patrol, and while he was acting in the line and scope of his employment as a patrolman.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 231. Ways and Means

NOTICE IN WRITING

Notice, as required by the Rules of the House, is hereby given that I will on the next Legislative day, move to take House Bill 134 from the Adverse Calendar and place it on the regular calendar.

John W. Howell.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and presiding officer of the Senate having signed the following Senate Joint Resolution your signature thereto is requested:

S.J.R. 27. Relative to. The naming of Senate Bill 76 and Senate Bill 77.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and sends same herewith to the House:

By Messrs. Mize, Burnside, Barrett, Hooton and Cater:

S. 222. To make an annual appropriation to provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the teachers' retirement system, September 1, 1941, and who is not and never has been eligible for membership in the teachers' retirement system, and to provide a supplement to the retirement benefit of any teacher who is or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended by Act 61 approved June 1, 1943, and who is not entitled under the provisions of said chapter to receive a benefit in excess of \$50.00 per month; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund appropriated by this act.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 222. Education

BILLS ON SECOND READING

Mr. Garrett, Chairman of the Standing Committee on Agriculture, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. McGowin, Shelton, Busby, Wallace, Johnston, Larkins, Buckner, Brown, and Gibson:

H. 11. To repeal Section 4 of the Act entitled "An Act, To make provision for the creation and maintenance of a Sub-Agricultural Experiment Station in the soil types of the State of Alabama as represented in the area generally known as the Upper Coastal Plains Area, for the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops; the adaptation and improvement of varieties of crops; the establishment and improvement of pastures; the production of feed and forage crops; the economic production and management of livestock; the production of fruits, vegetables, nuts, and citrus fruit; the control of insect pests and plant and livestock diseases; and other similar important agricultural and economic problems having for their object the development of a more permanent, profitable, and diversified agriculture; to designate the counties of the State constituting the Upper Coastal Plains Area; to provide for the location of said Sub-Agricultural Experiment Station; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue, county commissioners, or other governing bodies having similar jurisdiction in the several counties composing the Upper Coastal Plains Area, individuals, firms, organizations, corporations, companies, or municipalities to make donations and appropriations for the purchase of lands and equipment for said Sub-Agricultural Experiment Station; and to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.", approved June 30, 1943.

By Messrs. McGowin, Shelton, Busby, Wallace, Johnston, Larkins, Buckner, Brown, and Gibson:

H. 14. To repeal Section 3 of the Act entitled "An Act, To provide for the establishment and maintenance of a Central Artificial Insemination Unit to be located at the Main Alabama Agricultural Experiment Station and to be under the supervision of the Director of the Agricultural Experiment Station for the purpose of increasing the milk and butter fat-producing capabilities of Alabama Dairy cows, developing improved methods of handling semen and delivering it to cooperating groups of Alabama dairy farmers, studying improvement in Alabama dairy cows resulting from artificial insemination, and training technicians to be competent to breed animals artificially; to make appropriations to the

Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; and to provide for the administration and direction of this work", approved June 23, 1945.

By Messrs. McGowin, Shelton, Busby, Johnston, Larkins, Buckner, Gibson, Brown, and Wallace:

H. 15. To repeal Section 4 of the Act entitled "An act, To make provision for the creation and maintenance of a Sub-Agricultural Experiment Station in the Soil types of the State of Alabama as represented in the area generally known as the Southwest part of Lower Coastal Plain area, for the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops; the adaptation and improvement of varieties of crops; the establishment and improvement of pastures; the production of feed and forage crops; the economic production and management of livestock; the production of fruits, vegetables, nuts and citrus fruit; the establishment, management, and maintenance of experimental forest areas, including experiments on utilization of forest products; the control of insect pests and plant and livestock diseases; and other similiar important agricultural and economic problems having for their object the development of a more permanent, profitable, and diversified agriculture; to designate the counties of the State constituting the Southwest part of Lower Coastal Plain area; to provide for the location of said Sub-Agricultural Experiment Station; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue, county commissioners, or other governing bodies having similiar jurisdiction in the several counties composing the Southwest part of Lower Coastal Plain area, individuals, firms, organizations, corporations, companies, or municipalities to make donations and appropriations for the purchase of lands and equipment for said Sub-Agricultural Experiment Station; and to authorize Board of Trustees of the Alabama Polytechnic Institute to accept such donations.", approved July 7, 1945.

Mr. Garrett, Chairman of the Standing Committee on Agriculture, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

By Mr. Frasier (with substitute):

H. 313. To amend Section 15 of Title 2 of the 1940 Code of Alabama, which prescribes the qualifications of the Commissioner of Agriculture and Industries.

Mr. Meeks, Chairman of the Standing Committee on State Administration, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. Martin and Coburn (with amendment):

H. 549. To provide a procedure for the sale of personal property by State agencies, requiring that sales made by each department, board, bureau, commission, office, officer, council, corporation, institution, or other agency of the State shall be conducted by the Division of Purchases and Stores of the State Department of Finance.

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Dumas:

H. 624. To amend Section 20 of Act No. 248 of the regular session of the Legislature of Alabama of 1945 (General Acts of 1945, page 376).

By Messrs. Adams (Jefferson), Gibson, Beatty, and Meeks:

H. 623. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000), or more, according to the last or any subsequent Federal census to pay into the county treasury all fees, cost, commissions, and prerequisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

By Messrs. Dumas, Gibson, Beatty, Meeks, Sadler, and Adams (Jefferson):

H. 621. For the relief of H. A. (Gus) Thompson and to authorize the County Commission of Jefferson County, Alabama, to pay to H. A. (Gus) Thompson the sum of One Hundred Fifty Dollars (\$150) for serving as clerk and assistant to the Election Commission of Jefferson County and performing services in the selection of clerks, managers and returning officers for the polls for elections held in 1946.

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Norman:

H. 637. To authorize the State Department of Revenue to use allocation formulas in the determination of the value of prop-

erty located in Alabama for ad valorem tax purposes, of the amount of capital employed in Alabama for franchise tax purposes, and of the amount of Alabama net income for income tax purposes, where the operations of the taxpayer, or of the economic unit of which the taxpayer's operation constitutes a part, take place in Alabama and outside of Alabama; and to also provide that should any part of this Act be declared to be unconstitutional or void by a court of competent jurisdiction, it shall not affect any other part thereof; and to provide an effective date of this Act.

Ways and Means

By Messrs. Gillis, Tucker (with notice and proof):

H. 638. To amend Section 7 of an Act entitled "An act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid", approved September 24, 1932.

Local Legislation.

Notice and Proof H. 638:

Notice is hereby given of intention to apply for the passage of a local law for Clarke County, Alabama, at the 1947 Regular Session of the Legislature of Alabama, which convened on the first Tuesday in May, which local law reads as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 7 of an Act entitled "An act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid", approved September 24, 1932.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 7 of an Act entitled "An act to provide for the election of a county superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said

office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid.", approved September 24, 1932, be and the same is hereby amended to read as follows:

Section 7. The annual salary of such Superintendent of Education shall be not less than thirty six hundred dollars (3000.00), nor more than forty two hundred dollars, (4200.00), which salary shall be fixed by the County Board of Education of Clarke County, Alabama, and shall be payable in equal monthly installments. In addition to his salary, fixed as herein provided, he shall be allowed and paid the additional sum of Fifty Dollars (\$50.00) each month as constituting reimbursement for traveling expenses incurred in the performance of his duties.

Section 2. That this Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

STATE OF ALABAMA,
CLARKE COUNTY.

Before me, Ernestine H. Drinkard, a Notary Public in and for said state and county, personally appeared Earl L. Tucker, who being duly sworn, deposes and says he is the publisher of The Thomasville Times, a legal newspaper published at Thomasville, Alabama, in Clarke County, and that this notice, a true copy of which is attached hereto, was published once a week for four consecutive weeks, viz.: June 11, 1947, June 18, 1947, June 25, 1947 and July 2, 1947.

EARL L. TUCKER,
Publisher Thomasville Times.

Sworn to and subscribed before me, this the 7th day of July, 1947.

ERNESTINE H. DRINKARD,
(SEAL) Notary Public.

By Mr. Haynes (Franklin):

H. 639. To amend Sections 317, 318, 320, 322, 323, 325, and 327 of Title 28, 1940 Code of Alabama, relating to the State Insurance Fund.

Education.

By Messrs. Snodgrass, O'Neal (with notice and proof):

H. 640. To amend section six and section thirty-seven of an act approved July 10, 1940, entitled "An act to establish a county court of Jackson County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and the Probate Court of Jackson County, Alabama, to the Jackson County Court; and to provide for the transfer of certain cases pending in said Jackson County Court to the equity side of the Circuit Court of Jackson County, Alabama."

Local Legislation.

Notice and Proof H. 640:

NOTICE OF LOCAL LEGISLATION

State of Alabama,
Jackson County

Notice is hereby given that the following Bill will be introduced for passage in the Legislature of Alabama during the regular session thereof being held in the year 1947.

AN ACT

To amend section six and section thirty-seven of an act approved July 10, 1940, entitled "An act to establish a county court of Jackson County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and the Probate Court of Jackson County, Alabama, to the Jackson County Court; and to provide for the transfer of certain cases pending in said Jackson County Court to the equity side of the Circuit Court of Jackson County, Alabama."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That section 6 of an act approved July 10, 1940, entitled "An act to establish a county court of Jackson County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and the Probate Court of Jackson County, Alabama, to the Jackson County Court; and to provide for the transfer of certain cases pending in said Jackson County Court to the equity side of the Circuit Court of Jackson County, Alabama," be amended by adding thereto the following: For every conviction for a misdemeanor in the Jackson County Court there shall be taxed and collected as a part of the costs and paid into the county treasury the same solicitor's fees provided for conviction in such cases in the Circuit Court.

Section 2. That section 37 of said act be amended by adding thereto the following: Provided, however, that in all criminal cases wherein the defendant pleads guilty before any testimony has been taken, a stenographer's fee of one dollar shall be charged and collected.

Section 3. This act shall take effect immediately upon its passage and approval by the Governor.

520S4

STATE OF ALABAMA
JACKSON COUNTY

AFFIDAVIT OF PUBLICATION

Personally appeared before me, a Notary Public in and for said State and County, P. W. Campbell who, being by me duly sworn, deposes and says that he is publisher of the Jackson County Sentinel, a newspaper published in Scottsboro, in Jackson County, Alabama, and that the attached

notice was published for four consecutive weeks in said newspaper on the following dates to-wit: May 20th, May 27, June 3rd and June 10, 1947.

P. W. CAMPBELL,
Publisher.

Sworn to and subscribed before me this the 18 day of June, 1947.

JOE M. DAWSON,
Notary Public.

(SEAL)

By Mr. McIlwain:

H. 641. To amend section 280 of Title 7 of the Code of Alabama of 1940.

Judiciary.

By Mr. Shelton:

H. 642. To amend Section 84, Title 11, Code of Alabama, 1940, relating to costs and fees in preliminary trial.

Judiciary.

By Mr. Shelton:

H. 643. To amend Section 135, Title 15, Code of Alabama, 1940, relating to the requirement that the testimony of witnesses in preliminary trials be reduced to writing and subscribed.

Judiciary.

By Hr. Sullivan:

H. 644. To amend Title 46, Section 302, Code of Alabama 1940

Judiciary.

BILLS ON THIRD READING

H. 608. For the relief of Mrs. U. G. Brimer as compensation for the death of her husband, U. G. Brimer, deceased, of Calhoun County, Alabama, as result of injuries received while he was in the line of and performing his duties as a road employee of Calhoun County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|------------|
| Mr. Speaker | Cole | Harrison | Mason |
| Adams (Dale) | Cox | Haynes (Franklin) | Merrill |
| Adams (Jefferson) | Denton | Haynes (Lowndes) | Miller |
| Barnett | Dobbs (Elmore) | Head | Mitchell |
| Benford | Dobbs (Fayette) | Howell | Nelson |
| Bennett | Duffee | Ingalls | O'Neal |
| Brannan | Dyar | Johnston | Ramey |
| Brassell | Faulk | Knight | Richardson |
| Broadwater | Ganey | Larkins | Roberts |
| Buckner | George | Leonard | Sadler |
| Rush | Gillis | McClendon | Sellers |
| Callahan | Hankins | McDonald | Shelton |
| Coburn | Harris | Martin | Snodgrass |

Stone
Thomp-
son (Crenshaw)

Thompson (Pike)
Tucker
Vann

Wallace
Ward
Weaver

Whitcomb
White (Covington)
Wood (Bibb)

—63

And the bill:

H. 388. To create the Municipal Utilities Board of Muscle Shoals; to provide for its membership; to appoint the members to compose the original Board; to provide the qualifications of members of the Board; to provide the oath of office of members of the Board; to provide the term of office and method of election of members of the Board; to provide the method of impeaching and removing from office members of the Board; to provide the method of filling vacancies in the Board; to provide the compensation for the members of the Board; to provide for the organization of the Board; to provide for the meetings of the Board; to provide for copies of the records of the Board to be certified by the Secretary to be competent evidence in all courts; to provide the authority and duties of the said Board; to provide for the management and control of the Municipal Electric Distribution System of the Town of Muscle Shoals by said Board; to provide for the employment by the Board of managers, clerks, stenographers, attorneys, linemen, repairmen, and any other employees found necessary to be employed by said Board; to provide for official bonds of officers and employees of the Board handling money; to provide for the collection, deposit and distribution of funds received from the operation of said Electric Distribution System; to provide for bond of depository of funds of the Board; to provide method of withdrawal of funds of the Board and signing of warrants for the payment of claims; to provide that in any expenditure for any new construction, additions, or replacements to the electric plant, where the amount to be expended is more than \$1,500, the expenditure must be approved by the Board of Commissioners of the Town of Muscle Shoals; to provide for an annual audit and a semiannual publication of the financial condition of the system; to provide that said Board shall have the control, management, and operation of any water, gas or other utilities if same should in the future be acquired by the Town of Muscle Shoals; to provide for the management and operation of such other utilities, and to provide for reports of the Board to the Board of Commissioners.

Was taken up.

Mr. Coburn offered the following amendment to the bill, H. 388:

AMENDMENT TO HOUSE BILL NUMBER 388

By Mr. Coburn:

Amend House Bill number 388 so that said section 7 will read as follows:-

Section 7. COMPENSATION OF THE MEMBERS OF

THE BOARD. Each member of the Board shall be paid a monthly salary to be fixed by the Board of Commissioners of the City of Muscle Shoals, Alabama. The compensation to the members of the Board shall be paid in monthly installments from the money received from the operation of the Electric Distribution System.

And the amendment was adopted.

Yeas 70; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Kaul | Roberts |
| Adams (Dale) | Duffee | Knight | Robinson |
| Adams (Jefferson) | Dumas | Larkins | Sadler |
| Benford | Dyar | Leonard | Sellers |
| Bennett | Faulk | McClendon | Shelton |
| Black | Ganey | McDonald | Shirley |
| Brannan | Garrett | Martin | Taylor (Autauga) |
| Brassell | George | Mason | Taylor (Hale) |
| Broadwater | Gibson | Meeks | Thomp- |
| Buckner | Hankins | Merrill | son (Crenshaw) |
| Bush | Harris | Miller | Thompson (Pike) |
| Callahan | Harrison | Mitchell | Tucker |
| Cobb | Haynes (Franklin) | Nelson | Wallace |
| Coburn | Haynes (Lowndes) | O'Neal | Ward |
| Cole | Head | Pinkston | Weaver |
| Cox | Hornsby | Pinson | Whitcomb |
| Denton | Howell | Ramey | White (Covington) |
| Dobbs (Elmore) | Ingalls | Richardson | Wood (Bibb) |

—70

And said bill, H. 388, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Johnston | Robinson |
| Adams (Dale) | Dobbs (Fayette) | Kaul | Sellers |
| Adams (Jefferson) | Duffee | Larkins | Shelton |
| Beatty | Dumas | Leonard | Shirley |
| Benford | Dyar | McClendon | Snodgrass |
| Bennett | Faulk | McDonald | Sullivan |
| Black | Ganey | Martin | Taylor (Autauga) |
| Brannan | Garrett | Mason | Taylor (Hale) |
| Brassell | George | Meeks | Thagard |
| Broadwater | Gibson | Merrill | Thomp- |
| Buckner | Gillis | Miller | son (Crenshaw) |
| Bush | Hankins | Mitchell | Thompson (Pike) |
| Callahan | Harrison | Nelson | Tucker |
| Cobb | Haynes (Franklin) | O'Neal | Wallace |
| Coburn | Haynes (Lowndes) | Pinson | Weaver |
| Cole | Head | Ramey | Whitcomb |
| Cox | Howell | Richardson | White (Covington) |
| Denton | Ingalls | Roberts | Wood (Bibb) |

—71

And the bill:

H. 596. To Provide methods of appointment to and terms of office of certain Recorders of the City of Birmingham, Alabama; to define the powers, duties, and qualifications of such officers, and provide for the salaries of such officers and fixing the manner of payment of such salaries; to define the duties and powers of other officials with respect to said offices including the power to provide for filling absences of such officers during absence or disability and for other purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Denton | Johnston | Roberts |
| Adams (Dale) | Dobbs (Elmore) | Kaul | Robinson |
| Adams (Jefferson) | Dobbs (Fayette) | Larkins | Sadler |
| Barnett | Duffee | Leonard | Sellers |
| Beatty | Dumas | McClendon | Shelton |
| Benford | Dyar | McDanal | Sightler |
| Bennett | Faulk | McDonald | Stone |
| Black | Garrett | Martin | Sullivan |
| Brannan | George | Mason | Thompson (Crenshaw) |
| Brassell | Gibson | Meeks | Thompson (Pike) |
| Broadwater | Hankins | Merrill | Tucker |
| Brown | Harrison | Miller | Wallace |
| Buckner | Haynes (Franklin) | Mitchell | Ward |
| Bush | Haynes (Lowndes) | Nelson | Weaver |
| Callahan | Head | Pinkston | Whitcomb |
| Cobb | Hornsby | Pinson | White (Covington) |
| Coburn | Howell | Ramey | Wood (Bibb) |
| Cole | Ingalls | Richardson | |
| Cox | | | |

—72

And the bill:

H. 605. To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|-----------|
| Mr. Speaker | Bush | Frasier | Howell |
| Adams (Dale) | Callahan | Ganey | Johnston |
| Adams (Jefferson) | Cobb | Garrett | Kaul |
| Benford | Coburn | George | Knight |
| Bennett | Cole | Gibson | Larkins |
| Black | Denton | Gillis | Leonard |
| Brannan | Dobbs (Fayette) | Hankins | McClendon |
| Brassell | Duffee | Harrison | McDanal |
| Broadwater | Dumas | Haynes (Franklin) | McDonald |
| Brown | Dyar | Haynes (Lowndes) | Martin |
| Buckner | Faulk | Head | Mason |

| | | | |
|----------|------------|------------------|-------------------|
| Meeks | Richardson | Snodgrass | Wallace |
| Merrill | Roberts | Sullivan | Ward |
| Miller | Robinson | Taylor (Autauga) | Weaver |
| Mitchell | Sadler | Taylor (Hale) | Whitcomb |
| Nelson | Sellers | Thagard | White (Covington) |
| O'Neal | Shelton | Thompson | White (Perry) |
| Pinson | Shirley | son (Crenshaw) | Wood (Bibb) |
| Ramey | Sightler | Tucker | |

—74

And the bill:

H. 603. To create and establish in Limestone County, in lieu of the existing court created by Act No. 362, approved July 6, 1931, and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and of civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Leonard | Sellers |
| Adams (Dale) | Duffee | McClendon | Shelton |
| Adams (Jefferson) | Dyar | McDonald | Shirley |
| Beatty | Faulk | Martin | Snodgrass |
| Black | Frasier | Meeks | Stone |
| Brannan | Garrett | Merrill | Taylor (Hale) |
| Brassell | George | Miller | Thagard |
| Broadwater | Gibson | Mitchell | Thompson |
| Brown | Hankins | Molette | son (Crenshaw) |
| Buckner | Harrison | Nelson | Tucker |
| Bush | Haynes (Lowndes) | O'Neal | Wallace |
| Callahan | Head | Pinson | Ward |
| Cobb | Hornsby | Ramey | Weaver |
| Coburn | Howell | Richardson | Whitcomb |
| Cole | Johnston | Roberts | White (Covington) |
| Denton | Kaul | Robinson | Wood (Bibb) |
| Dobbs (Elmore) | Larkins | Sadler | |

—66

And the bill:

H. 604. To consolidate and combine the offices of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|-------------------|---------|----------|------------|
| Mr. Speaker | Barnett | Black | Broadwater |
| Adams (Dale) | Beatty | Brannan | Buckner |
| Adams (Jefferson) | Bennett | Brassell | Bush |

| | | | |
|-----------------|------------------|------------|-------------------|
| Callahan | Harrison | Mitchell | Taylor (Autauga) |
| Cobb | Haynes (Lowndes) | Nelson | Thagard |
| Coburn | Head | O'Neal | Thompson |
| Cole | Howell | Pinson | son (Crenshaw) |
| Denton | Johnston | Ramey | Tucker |
| Dobbs (Elmore) | Larkins | Richardson | Wallace |
| Dobbs (Fayette) | McClendon | Roberts | Ward |
| Dyar | McDonald | Robinson | Weaver |
| Ganey | Martin | Shelton | Whitcomb |
| Garrett | Mason | Shirley | White (Covington) |
| George | Meeks | Sightler | White (Perry) |
| Gillis | Merrill | Snodgrass | Wood (Bibb) |
| Hankins | Miller | Sullivan | |

—62

And the bill:

H. 496. To require the Tax Assessor of Mobile County, Alabama in addition to such duties as are now required of him by law, to act in an advisory capacity to the Mobile County Board of Equalization, and to investigate complaints as to assessments and make reports thereon to said Board, and to provide for additional compensation of the Tax Assessor of Mobile County, Alabama, an account of such extra duties.

Was taken up.

Mr. Stone offered the following amendment to the bill, H. 496:

AMENDMENT TO H. 496

Amend House Bill 496 by striking from the said bill the figures \$150,000.00, where the same appears in Section 2 thereof and substituting therefor the figures \$1200.00.

And the amendment was adopted.

Years 72; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Frasier | McClendon | Sellers |
| Adams (Dale) | Ganey | McDanal | Shelton |
| Adams (Jefferson) | Garrett | McDonald | Shirley |
| Beatty | George | Martin | Stone |
| Benford | Gibson | Mason | Sullivan |
| Black | Givhan | Meeks | Taylor (Autauga) |
| Brannan | Hankins | Merrill | Thagard |
| Brassell | Harrison | Miller | Thompson |
| Broadwater | Haynes (Franklin) | Mitchell | son (Crenshaw) |
| Buckner | Haynes (Lowndes) | Molette | Tucker |
| Bush | Head | Nelson | Wallace |
| Callahan | Hornsby | O'Neal | Ward |
| Cobb | Howell | Pinson | Weaver |
| Cole | Johnston | Ramey | Whitcomb |
| Denton | Kaul | Richardson | White (Covington) |
| Dobbs (Elmore) | Knight | Roberts | White (Perry) |
| Dobbs (Fayette) | Larkins | Robinson | Wood (Bibb) |
| Dyar | Leonard | Sadler | Wood (Washington) |
| Faulk | | | |

—72

And said bill, H. 496, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|---------------------|
| Mr. Speaker | Dobbs (Fayette) | McClendon | Sellers |
| Adams (Dale) | Doughty | McDanal | Shelton |
| Adams (Jefferson) | Duffee | McDonald | Shirley |
| Barnett | Dyar | McIlwain | Sightler |
| Benford | Faulk | Martin | Snodgrass |
| Bennett | Frasier | Mason | Stone |
| Black | Ganey | Meeks | Sullivan |
| Brannan | Garrett | Merrill | Taylor (Autauga) |
| Brassell | George | Miller | Thagard |
| Broadwater | Gillis | Mitchell | Thompson (Crenshaw) |
| Buckner | Giyhan | Molette | Tucker |
| Bush | Hankins | Nelson | Wallace |
| Callahan | Harrison | O'Neal | Ward |
| Cobb | Haynes (Lowndes) | Pinkston | Weaver |
| Coburn | Howell | Pinson | Whitcomb |
| Cole | Johnston | Ramey | White (Covington) |
| Cox | Knight | Richardson | Wood (Bibb) |
| Denton | Larkins | Roberts | Wood (Washington) |
| Dobbs (Elmore) | Leonard | Robinson | |

—75

And the bill:

H. 606. To provide and fix the compensation of the Judge of the Inferior Criminal Court of Mobile County for services rendered from and after the passage of this Act in the Civil Division of the Inferior Criminal Court of Mobile County and to provide for the payment thereof out of the Treasury of Mobile County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dobbs (Elmore) | Knight | Sellers |
| Adams (Dale) | Dobbs (Fayette) | Leonard | Shelton |
| Adams (Jefferson) | Doughty | McClendon | Shirley |
| Barnett | Duffee | McDanal | Stone |
| Benford | Dyar | Martin | Sullivan |
| Bennett | Ganey | Mason | Taylor (Hale) |
| Black | Garrett | Meeks | Thompson (Crenshaw) |
| Brannan | George | Merrill | Tucker |
| Brassell | Gillis | Miller | Wallace |
| Broadwater | Hankins | Mitchell | Ward |
| Buckner | Harrison | Nelson | Weaver |
| Bush | Haynes (Franklin) | O'Neal | Whitcomb |
| Callahan | Haynes (Lowndes) | Pinson | White (Covington) |
| Cobb | Head | Ramey | Wood (Bibb) |
| Coburn | Howell | Richardson | Wood (Washington) |
| Cox | Johnston | Roberts | |
| Denton | Kaul | Robinson | |

—66

And the bill:

H. 402. To amend Section 41, Title 62, of the Code of Alabama, 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Duffee | Kaul | Shelton |
| Adams (Dale) | Dyar | Leonard | Shirley |
| Adams (Jefferson) | Evans | McClendon | Snodgrass |
| Barnett | Faulk | McDonald | Stone |
| Beatty | Frasier | McIlwain | Sullivan |
| Benford | Ganey | Martin | Taylor (Autauga) |
| Bennett | Garrett | Mason | Taylor (Hale) |
| Black | George | Meeks | Thompson (Crenshaw) |
| Broadwater | Gibson | Merrill | Tucker |
| Buckner | Givhan | Miller | Wallace |
| Bush | Hankins | Molette | Ward |
| Callahan | Harrison | Nelson | Weaver |
| Cobb | Haynes (Franklin) | O'Neal | Whitcomb |
| Cox | Haynes (Lowndes) | Ramey | White (Covington) |
| Denton | Head | Richardson | Wood (Bibb) |
| Dobbs (Elmore) | Howell | Roberts | Wood (Washington) |
| Dobbs (Fayette) | Inzer | Robinson | |
| Doughty | Johnston | Sellers | |

—70

And the bill:

H. 403. To amend Section three (3) of an Act entitled "An Act to provide for a Deputy County Treasurer in each County in the State, having a population of not less than one hundred twenty-five thousand, and not more than three hundred thousand inhabitants, according to the last, or to any succeeding Federal census; and to provide for the qualifications, appointment, term, duties, bond, and compensation of such Deputy County Treasurers," approved July 6, 1943. (General Acts 1943, pages 339-340).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|------------------|
| Mr. Speaker | Cox | Hankins | Merrill |
| Adams (Dale) | Davis | Harrison | Miller |
| Adams (Jefferson) | Denton | Haynes (Franklin) | Mitchell |
| Barnett | Dobbs (Elmore) | Haynes (Lowndes) | Molette |
| Beatty | Dobbs (Fayette) | Head | Nelson |
| Benford | Duffee | Hornsby | O'Neal |
| Bennett | Dyar | Howell | Ramey |
| Black | Evans | Inzer | Richardson |
| Brannan | Faulk | Johnston | Robinson |
| Brassell | Frasier | Kaul | Sellers |
| Broadwater | Ganey | Leonard | Shelton |
| Buckner | Garrett | McClendon | Shirley |
| Bush | George | McDonald | Sightler |
| Callahan | Gibson | Martin | Stone |
| Cobb | Gillis | Mason | Sullivan |
| Cole | Givhan | Meeks | Taylor (Autauga) |

| | | | |
|---------------------|---------|-------------------|-------------------|
| Taylor (Hale) | Tucker | Weaver | White (Perry) |
| Thompson (Crenshaw) | Wallace | Whitcomb | Wood (Bibb) |
| | Ward | White (Covington) | Wood (Washington) |

—75

And the bill:

H. 559. To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of over 140,000 and less than 400,000, according to the last or any subsequent Federal census, general equity jurisdiction, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of the estates of deceased persons, minors and insane persons, including testamentary trust estates; and to confer on the judges of such Probate Courts the same powers and authority which Judges and Registers of the Circuit Courts of this State now have in connection with the administration of such estates in the Circuit Courts, in Equity; to provide for the pleading, practice and procedure in such matters and for the enforcement of judgments and decrees and for appeals to the Supreme Court from the orders, judgments and decrees of such courts; and to provide for the compensation of the judges of such courts, including the assessment and collection of fees, commissions and costs of court for the performance of the duties authorized by this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dobbs (Fayette) | Johnston | Shelton |
| Adams (Dale) | Doughty | Kaul | Shirley |
| Adams (Jefferson) | Duffee | Knight | Snodgrass |
| Barnett | Dyar | Leonard | Stone |
| Beatty | Evans | McClendon | Sullivan |
| Benford | Faulk | McDonald | Taylor (Autauga) |
| Bennett | Frasier | Martin | Taylor (Hale) |
| Black | Gancy | Mason | Thagard |
| Brannan | Garrett | Meeks | Thompson (Crenshaw) |
| Brassell | George | Merrill | Tucker |
| Broadwater | Gibson | Miller | Vann |
| Buckner | Gillis | Mitchell | Wallace |
| Bush | Givhan | Molette | Ward |
| Callahan | Hankins | Nelson | Weaver |
| Cobb | Harrison | O'Neal | Whitcomb |
| Cole | Haynes (Franklin) | Ramey | White (Covington) |
| Cox | Haynes (Lowndes) | Richardson | White (Perry) |
| Davis | Head | Roberts | Wood (Bibb) |
| Denton | Howell | Robinson | Wood (Washington) |
| Dobbs (Elmore) | Inzer | Sellers | |

—79

And the bill:

S. 247. To authorize the county governing body of those counties having a population of more than 140,000 and less than 250,000 inhabitants to hold elections upon the request of a ma-

jority of the members of the legislature representing such county; to provide for the submission to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

Was read a third time at length and passed.

Yeas 68; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dobbs (Fayette) | Johnston | Sellers |
| Adams (Dale) | Duffee | Kaul | Shelton |
| Adams (Jefferson) | Dyar | Leonard | Shirley |
| Beatty | Faulk | McClendon | Snodgrass |
| Benford | Frasier | McDonald | Sullivan |
| Bennett | Ganey | Mason | Taylor (Autauga) |
| Black | George | Meeks | Taylor (Hale) |
| Brannan | Gibson | Merrill | Thompson (Crenshaw) |
| Brassell | Gillis | Miller | Tucker |
| Broadwater | Givhan | Mitchell | Vann |
| Buckner | Hankins | Molette | Wallace |
| Bush | Harrison | Nelson | Weaver |
| Callahan | Haynes (Franklin) | O'Neal | Whitcomb |
| Cole | Haynes (Lowndes) | Ramey | White (Covington) |
| Cox | Head | Richardson | White (Perry) |
| Davis | Howell | Roberts | Wood (Bibb) |
| Denton | Inzer | Robinson | |
| Dobbs (Elmore) | | | |

—68

Nays: Mr. Stone.

—1

And the bill:

H. 609. To alter and extend the corporate limits of the Town of Brundidge, Pike County, Alabama, and rearrange and define the boundaries thereof:

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|-----------|
| Mr. Speaker | Callahan | Faulk | Howell |
| Adams (Dale) | Cobb | Ganey | Inzer |
| Adams (Jefferson) | Cole | Garrett | Johnston |
| Beatty | Cox | George | Kaul |
| Benford | Davis | Gibson | Knight |
| Bennett | Denton | Gillis | Larkins |
| Black | Dobbs (Elmore) | Hankins | Leonard |
| Brannan | Dobbs (Fayette) | Harrison | McClendon |
| Brassell | Doughty | Haynes (Franklin) | McDonald |
| Broadwater | Duffee | Haynes (Lowndes) | Martin |
| Buckner | Dyar | Head | Mason |
| Bush | Evans | Hornsby | Meeks |

| | | | |
|------------|-----------|------------------|-------------------|
| Merrill | Robinson | Sullivan | Wallace |
| Miller | Sellers | Taylor (Autauga) | Ward |
| Mitchell | Shelton | Thomp- | Weaver |
| Nelson | Shirley | son (Crenshaw) | Whitcomb |
| O'Neal | Sightler | Thompson (Pike) | White (Covington) |
| Ramey | Snodgrass | Tucker | Wood (Bibb) |
| Richardson | Stone | Vann | Wood (Washington) |
| Roberts | | | |

—76

And the bill:

S. 246. For the relief of M. M. Mathis, Russell County, Alabama: authorizing and directing the Russell County governing body to pay M. M. Mathis one hundred and fifty dollars for the loss of his mule, killed during 1946 by county road machinery in performance of county functions.

Was read a third time at length and passed.

Yeas 67; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Davis | Howell | Shelton |
| Adams (Dale) | Denton | Inzer | Shirley |
| Adams (Jefferson) | Dobbs (Elmore) | Johnston | Snodgrass |
| Barnett | Dobbs (Fayette) | Kaul | Stone |
| Beatty | Dyar | Leonard | Taylor (Autauga) |
| Benford | Evans | McDonald | Thomp- |
| Bennett | Faulk | Mason | son (Crenshaw) |
| Black | Ganey | Meeks | Thompson (Pike) |
| Brannan | Garrett | Merrill | Tucker |
| Brassell | George | Miller | Vann |
| Broadwater | Gibson | Mitchell | Ward |
| Buckner | Gillis | Nelson | Weaver |
| Bush | Hankins | O'Neal | Whitcomb |
| Callahan | Harrison | Ramey | White (Covington) |
| Cobb | Haynes (Franklin) | Richardson | White (Perry) |
| Cox | Haynes (Lowndes) | Robinson | Wood (Bibb) |
| Crocker | Head | Sellers | Wood (Washington) |

—67

Nays: Mr. Cole.

—1

And the bill:

S. 241. To submit to the qualified electors of the State of Alabama at an election to be held on the First Tuesday after the expiration of three months after the final adjournment of the Regular Session of the 1947 Legislature for their consideration an amendment to the Constitution of Alabama for the purpose of levying and collecting in the City of Tuscaloosa and in the several school districts of Tuscaloosa County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes and providing for the issuance of bonds arising from the funds of said special school tax for the construction and improvement of public school buildings and acquiring sites therefor.

Proposing an amendment to the Constitution, was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dobbs (Fayette) | Inzer | Sellers |
| Adams (Dale) | Doughty | Johnston | Shelton |
| Adams (Jefferson) | Duffee | Knight | Shirley |
| Barnett | Dumas | Larkins | Sightler |
| Beatty | Dyar | Leonard | Snodgrass |
| Benford | Evans | McClendon | Stone |
| Bennett | Faulk | McDanal | Sullivan |
| Black | Frasier | McDonald | Taylor (Autauga) |
| Brannan | Ganey | Martin | Taylor (Hale) |
| Brassell | Garrett | Mason | Thompson (Crenshaw) |
| Broadwater | George | Meeks | Tucker |
| Buckner | Gibson | Merrill | Vann |
| Busby | Gillis | Miller | Wallace |
| Callahan | Givhan | Mitchell | Ward |
| Cobb | Hankins | Molette | Weaver |
| Cole | Harrison | Nelson | Whitcomb |
| Cox | Haynes (Franklin) | O'Neal | White (Covington) |
| Crocker | Haynes (Lowndes) | Ramey | White (Perry) |
| Davis | Head | Richardson | Wood (Bibb) |
| Denton | Hornsby | Roberts | Wood (Washington) |
| Dobbs (Elmore) | Howell | Robinson | |

—83

And the bill:

H. 611. To provide for meetings of the Board of Registrars in counties having a population of not less than seventy-five thousand nor more than one hundred thousand inhabitants.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Denton | Head | Robinson |
| Adams (Dale) | Dobbs (Elmore) | Howell | Sellers |
| Adams (Jefferson) | Dobbs (Fayette) | Inzer | Shelton |
| Barnett | Doughty | Johnston | Shirley |
| Beatty | Duffee | Larkins | Snodgrass |
| Benford | Dumas | Leonard | Stone |
| Bennett | Dyar | McClendon | Sullivan |
| Black | Evans | McDonald | Taylor (Autauga) |
| Brannan | Faulk | Martin | Taylor (Hale) |
| Brassell | Frasier | Mason | Tucker |
| Broadwater | Ganey | Meeks | Vann |
| Brown | Garrett | Merrill | Wallace |
| Buckner | George | Miller | Ward |
| Bush | Gibson | Mitchell | Weaver |
| Callahan | Gillis | Molette | Whitcomb |
| Cobb | Givhan | Nelson | White (Covington) |
| Cole | Hankins | O'Neal | White (Perry) |
| Cox | Harrison | Ramey | Wood (Bibb) |
| Crocker | Haynes (Franklin) | Richardson | Wood (Washington) |
| Davis | Haynes (Lowndes) | Roberts | |

—79

And the bill:

H. 617. To authorize the Sheriff of Winston County, Alabama, with the approval of the County Governing Body, to ap-

point three additional Deputies Sheriff whose salary, not to exceed \$900.00 annually, and the duration of service may be fixed and determined by said County Governing Body; to designate the county residence and the areas of service of said deputies, and to prescribe their duties and to require them to give bond as provided by the General Laws of Alabama; to provide that the salaries of said Deputies shall be paid out of the General Fund of the County, which shall be reimbursed out of certain fines, forfeitures, costs and fees; to provide when this Act shall become inoperative, and to fix the effective date hereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dobbs (Elmore) | Inzer | Sellers |
| Adams (Dale) | Dobbs (Fayette) | Johnston | Shelton |
| Adams (Jefferson) | Duffee | Larkins | Shirley |
| Barnett | Dyar | Leonard | Sightler |
| Beatty | Evans | McClendon | Snodgrass |
| Benford | Faulk | McDanal | Stone |
| Bennett | Ganey | McDonald | Sullivan |
| Black | Garrett | Martin | Taylor (Hale) |
| Brannan | George | Mason | Thompson (Crenshaw) |
| Brassell | Gibson | Meeks | Tucker |
| Broadwater | Gillis | Merrill | Vann |
| Brown | Hankins | Miller | Wallace |
| Buckner | Harris | Mitchell | Ward |
| Bush | Harrison | Nelson | Weaver |
| Callahan | Haynes (Franklin) | O'Neal | White (Covington) |
| Cobb | Haynes (Lowndes) | Ramey | White (Perry) |
| Cole | Head | Richardson | Wood (Bibb) |
| Cox | Hornsby | Roberts | |
| Denton | Howell | Robinson | |

—74

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Langan:

S. 279. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Mobile County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library,

or to assist therein, and the employment of additional personnel for said purpose, and the payment of the salaries of such personnel.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that there will be introduced for passage by the present regular session of the Legislature of Alabama a bill providing in substance as follows:

A BILL TO BE ENTITLED AN ACT

To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Mobile County, Alabama; to authorize the governing body on said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purposes, and the payment of the salaries of such personnel.

Be is enacted by the Legislature of Alabama:

Section 1: The governing body of Mobile County, Alabama, by whatever name called, is hereby fully authorized to establish and maintain a Public Law Library in said County, and, to accomplish said purpose, may, from time to time, expend such public funds of said County, as are not required by law to be expended for any other purpose or purposes; to provide suitable housing quarters, furniture, fixtures and equipment therefor; to keep the same in good state of maintenance and repair; and, from time to time, to enlarge, expand and improve such Library, facilities and equipment; and, from time to time, to provide such books, reports and periodicals for said Library as are not provided therefor out of the proceeds of the special fund created by this Act or otherwise; and to pay the salaries of a Librarian and such other personnel as may be necessary and proper to operate the same, to the extent that such salaries are not paid out of the proceeds of such special funds; which expenditures shall, from time to time, be made on warrants drawn in the usual manner, upon the County Treasurer, payable out of appropriate fund or funds.

Section 2: In order to provide a special fund for the maintenance of said Library, there shall be taxed as costs the sum of One Dollar and Fifty Cents (\$1.50) in each Civil or Quasi Civil Action at Law, Suit in Equity, Criminal Case, Quasi Criminal Case, proceeding on Forfeited Bail Bond or proceeding on a Forfeited Bond given in connection with an appeal from a judgment of conviction in any Inferior or Municipal Court to the Circuit Court hereinafter filed in, arising in, or brought by appeal, certiorari or otherwise to the Circuit Court of Mobile County, Alabama, which costs shall be collected as other costs in such cases are collected by the Clerk of said Court or the Register in Chancery thereof, as the case may be, and shall be paid to the Treasurer of Mobile County, Alabama.

Section 3: There shall, also, be taxed as costs the sum on One Dollar (\$1.00) in each Criminal case hereafter filed in the Inferior Criminal Court of Mobile County, Alabama, and in each Civil Case hereafter filed in said Inferior Criminal Court, Civil Division, which costs shall be collected as other

costs in such cases are collected and when collected by the Clerk of said Court shall be paid by him to the Treasurer of Mobile County, Alabama.

Section 4: There shall, also be taxed as costs the sum of Fifty Cents (\$.50) in each Civil Case hereafter filed in the Inferior Civil Court of Mobile County, Alabama, which costs shall be collected as other costs in such cases are collected and when collected by the Clerk of said Court shall be paid by him to the Treasurer of Mobile County, Alabama.

Section 5: The sums herein provided to be paid to the Treasurer of Mobile County, Alabama, shall be kept by him in a separate fund designated as "Mobile County Law Library Fund" and shall be expended by the presiding Judge of the Circuit Court of Mobile County, Alabama, for maintaining said Law Library. Said presiding Judge shall draw warrants on the Treasurer for expenditures by him indicating on the warrants the funds against which the warrants are drawn. Said fund shall be used primarily to purchase such books and periodicals, and to pay the salaries of such personnel, as may in the opinion of said presiding Judge be advisable, but to the extent not so used such funds may be otherwise expended for the maintenance of said Library. The management of the said Law Library is vested in said presiding Judge and all books or other property purchased with the funds produced by this Act shall be the property of Mobile County, Alabama; provided, however, that the said Judge may from time to time sell or exchange any such books, reports, periodicals, and personal property, and apply the proceeds of the sale thereof, or the value thereof, upon the purchase of other books, reports, periodicals and personal property for use in said Library, and said Judge may accept any gift or loan of any books, reports, periodicals and property for public use in said Library upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said Judge. Said presiding Judge may appoint such personnel as may be necessary or proper to operate said Library, and, to the extent that circumstances permit, may designate the Circuit Clerk, or one or more deputy Circuit Clerks, to operate the same or to assist therein.

Section 6: The said items of cost above referred to shall be designated in said respective Courts as "Law Library Fee" and when any part of the costs in such a case or proceeding shall have been paid the amount necessary for the payment of said fee shall be applied thereto before applying any of the amount paid as costs to any other item of cost. On or before the 10th day of each month, the Clerk of the respective Courts (including the Register in Chancery) shall pay to the said County Treasurer the amounts collected for said Law Library fees previous to the 1st day of the month.

Section 7: If any sentences, clause, provision or section of this Act be declared to be invalid, the invalidity thereof shall not affect the validity of any other portion or provision of this Act, it being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of any portions hereof.

Section 8: This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Press June 2, 9, 16, 23.

Wm. A. Curan being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Press.

June 2, 9, 16 & 23 1947

WM. CURAN.

Sworn to and subscribed before me This 23rd day of June 1947.

(SEAL)

ALVIN A. JOHNSON,
Notary Public.

Also:

By Mr. Patton:

S. 275. Governing the compensation of the Superintendent of Education of Limestone County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

This is notify the voters of Limestone County, Alabama, that it is the intention of the undersigned to introduce the following local bill during the regular session of the 1947 Legislature.

David U. Patton, Senator

Bunyan D. Broadwater, Representative.

A BILL TO BE ENTITLED AN ACT

Governing the compensation of the Superintendent of Education of Limestone County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The salary of the Superintendent of Education of Limestone County shall be fixed by the County Board of Education at a sum not to exceed three thousand and six hundred dollars (\$3,600) per annum. In addition to his salary, the superintendent shall be entitled to receive an allowance for expenses, which allowance shall be fixed by the board at not less than six hundred dollars (\$600) nor more than twelve hundreds dollars (\$1,200) per annum.

Section 2. This Act shall become effective on the first day of the calendar month following the date of enactment.

July 5, 1947

Limestone County Board of Revenue

City

Bills for legislative change for Board of Educ. 160 w, 4t 7.20

State of Alabama,

Limestone County

Before me, the undersigned authority in and for said State and County, personally appeared Steele McGrew, who being first duly sworn, deposes and says that he is the Editor and Publisher of the Alabama Courier, a weekly newspaper of General circulation and published in Limestone County, Alabama; that the above and foregoing notice was published once a week for four (4) consecutive weeks in said Alabama Courier, on to wit:-June 12, June 19, June 26, and July 3, 1947, without cost to the State of Alabama

STEELE MCGREW.

Sworn to and subscribed to before me, this the 5 day of July, 1947.

HARRY TAFT,

(SEAL)

Notary Public, Limestone County, Alabama.

Also:

By Mr. Mize:

S. 277. To amend Section 4 of Act No. 228, approved August 23, 1927 (Local Acts of Alabama, 1927, p. 130), which Act established the Inferior Court of Tuscaloosa County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that application will be made at the present regular session of the Legislature of Alabama for the passage of a bill, which in substance will be as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 4 of Act No. 228, approved August 23, 1927 (Local Acts of Alabama, 1927, p. 130), which Act established the Inferior Court of Tuscaloosa County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section Four of Act No. 228, approved August 23, 1927 (Local Acts of Alabama, 1927, p. 130), which Act established the Inferior Court of Tuscaloosa County, is amended to read as follows: "The Circuit Clerk of Tuscaloosa County shall act and be Clerk of the Inferior Court hereby established and he shall keep a civil and criminal docket of all cases brought before said Court and all of the minutes and records as are now required by law to be kept by Justices of the Peace and by the Clerk of the County Court of said County, and such records and dockets as are required of the Juvenile Court, and of the Probate Court of said County as regards matters of domestic relations. He shall have authority to issue all necessary summons and complaints, as to all cases filed in said Court, and all other civil and criminal process which Justices of the Peace, the Clerk of the County Court, and the Clerk of the Juvenile Court and the Probate Court of said County as regards matters of domestic relations, are now required or empowered by law to issue. He shall have authority to swear witnesses at the trial of all cases in said County. It shall be the duty of said Clerk to tax and collect in each civil case in said Inferior Court the same costs, fees, commissions, percentages, and allowances for services of the Clerk and Sheriff and witnesses in civil cases in said Court as are now allowed by law to be assessed, charged and collected for same in justice of peace courts, and the same costs and fines, and fees, percentages, and allowances in criminal cases as are now allowed by law to be assessed, charged and collected in the justice of the peace courts in all criminal cases of which justices of the peace now have jurisdiction. In all other criminal cases the same costs and fines, and the same fees, commissions, percentages, and allowances for the services of the Solicitor, Clerk, Sheriff and witnesses in said Court shall be assessed and collected as are now provided by law to be assessed and collected for such offenses in the County Court of Tuscaloosa County, Alabama. The clerk shall deduct for the use of the County five per cent of any sum or sums collected for and remitted to the State. The trial tax in each criminal cases shall be \$3.00 and the trial tax in each civil case shall be \$1.00. The Sheriff's fees collected by said Court shall be paid over to the Sheriff by the Clerk on the first Monday of each month. Any money paid to said Clerk on judgments rendered

in said Court shall be paid to the plaintiff or his attorney, on demand. All the costs, fees, commissions, percentages, and allowances allowed the Solicitor and Clerk of said Court, and all witness' fees shall be collected by said Clerk and all such amounts so collected, except witness' fees and allowances, shall be paid by said Clerk into the County Treasury on the first Monday of each month, provided that the witness' fees assessed and collected by the Clerk shall be retained by him and paid over to the witness entitled to same, and to be assessed, collected and handled as are witness' fees so assessed, collected and handled in the Circuit Court of Tuscaloosa County. And the Clerk shall be paid and allowed to retain in settlement with the County from the fees collected in the Inferior Court the said fees hereby above allowed to be assessed and collected as Clerk's costs and the said Clerk shall be allowed and paid the same amount as he is now allowed and paid as ex-officio Clerk of the County Court of Tuscaloosa County, Alabama. The Clerk shall attend upon the duties of said Court at such hours as are designated by the Judge thereof and shall perform such other clerical duties as may be prescribed by the Judge of said Court. The Clerk shall keep a final record and issue certificates of judgment; and for the issuing of said certificates of judgment he shall be allowed the same fees as are now allowed for the issuing of certificates of judgment in the Circuit Court of Tuscaloosa County, Alabama. The certificate of judgment hereinabove provided to be issued by the Clerk shall, upon being recorded in the Probate Office of said County, become a lien in the same manner and under the same regulations as now provided for certificates of judgment issued out of the Circuit Court of Tuscaloosa County, Alabama."

HENRY H. MIZE,

State Senator from the 11th Senatorial District.

4-11-18-25—rtc

I hereby certify that the attached notice was published in The Tuscaloosa News once a week for four consecutive weeks; viz, June 4, 11, 18, 25, 1947.

KARL S. ELEBASH, JR.,

Editor.

Subscribed and sworn to before me on this the 27th day of June, 1947.

LILLA COLLINS,

Notary Public.

By Mr. Boutwell:

S. 278. To provide, in any city of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority to sponsor, promote, develop and foster agriculture and industry, and to provide educational, cultural and recreational facilities, exhibits and exhibitions and places of amusement and entertainment for the citizens of such city; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the city to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the city to make appropriations or to lend money to

the authority; and to accord the authority exemption from State, county and city taxation.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 279. Local Legislation

S. 275. Local Legislation

S. 277. Local Legislation

S. 278. Local Legislation

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cater:

S. 266. To amend Section 13 of Title 3 of the Code of 1940 which relates to employment of County Officer to enforce laws as to cruelty to animals and children; duties, oaths and compensation.

Also:

By Mr. Clayton:

S. 188. To repeal Chapter 2 (Sections 10-30) of Title 18 of the 1940 Code, which relates to electric membership corporations.

Also:

By Mr. Russell:

S. 259. To amend Sections 21 and 89 of Title 11 of the 1940 Code of Alabama, which relate to the fees of circuit court clerks.

Also:

By Mr. Hardwick:

S. 282. Relating to crimes and offenses: to make it unlawful for any person to break and enter the dwelling house of another.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 266. Local Government

S. 188. Judiciary

S. 259. Judiciary

S. 282. Judiciary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 80. To amend Section 157 of Title 55 of the 1940 Code of Alabama.

Also:

H. 113. To amend Section 318, Title 15, of the 1940 Code of Alabama, as amended by Act No. 251, General Acts of 1943, approved June 24, 1943.

Also:

H. 315. To provide that any sheriff of the State of Alabama, except in all counties having a population according to the last or any subsequent Federal census of more than 100,000 population, shall in certain cases, be entitled to a sum equivalent to 10 cents per mile, to be taxed as costs, for executing a writ of arrest, or like process, issued by any court of competent jurisdiction of Alabama, and to provide for the payment of said claim.

J. E. Speight,
Secretary.

BILLS ON THIRD READING RESUMED

(With minority report):

H. 51. To make appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

Was taken up.

The question was upon the adoption of the Minority Report of the Standing Committee on Ways and Means, said Minority Report being as follows:

WHEREAS, the undersigned members of the Committee on Ways and Means feel that the State, its Departments and Ag-

encies, should operate within the revenues from present taxes, which revenues are at their highest levels in history, and

WHEREAS, it is the opinion of the undersigned that House Bill No. 106, providing for appropriations from the general fund would require the State, its Departments and Agencies, to more nearly operate under present revenues than House Bill No. 51 which a majority of said Committee have voted to favorably report to the House of Representatives,

NOW, THEREFORE, the undersigned do hereby submit the following as a minority report to accompany the favorable report of said Committee on House Bill No. 51:

That House Bill No. 106 be adopted by the House of Representatives in lieu of House Bill No. 51.

Thomas A. Johnston III
C. D. Norman
Wallace Gibson
Mims Rogers
Roberts H. Brown

On motion of Mr. Snodgrass the Minority Report of the Standing Committee on Ways and Means was laid upon the table.

Yeas 51; Nays 47.

Yeas:

| | | | |
|-------------|-------------------|----------|---------------------|
| Mr. Speaker | Dobbs (Fayette) | Larkins | Sellers |
| Benford | Doughty | Leonard | Shelton |
| Bennett | Dyar | McDanal | Sightler |
| Black | Evans | Martin | Snodgrass |
| Brassell | Ganey | Merrill | Thompson (Crenshaw) |
| Broadwater | Garrett | Miller | Tucker |
| Buckner | George | Mitchell | Wallace |
| Bush | Hankins | Nelson | Weaver |
| Callahan | Haynes (Franklin) | O'Neal | Whitcomb |
| Coburn | Head | Pinkston | White (Covington) |
| Cole | Howell | Pinson | White (Perry) |
| Cox | Ingalls | Ramey | Wood (Washington) |
| Crocker | Knight | Roberts | |

—51

Nays:

| | | | |
|-------------------|------------------|------------|------------------|
| Messrs.: | Dumas | McClendon | Shirley |
| Adams (Dale) | Faulk | McDonald | Stewart |
| Adams (Jefferson) | Frasier | McGowin | Stone |
| Barnett | Gibson | McIlwain | Sullivan |
| Beatty | Gillis | Malone | Taylor (Autauga) |
| Brannan | Harris | Mason | Taylor (Hale) |
| Brown | Harrison | Molette | Thagard |
| Cobb | Haynes (Lowndes) | Norman | Thomas |
| Davis | Hornsby | Richardson | Thompson (Pike) |
| Denton | Inzer | Robinson | Vann |
| Dobbs (Elmore) | Johnston | Rogers | Ward |
| Duffee | Kaul | Sadler | Wood (Bibb) |

—47

RECESS

On motion of Mr. Johnston the House recessed until two o'clock this afternoon.

AFTERNOON SESSION

The hour of two o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 479. For the relief of Mrs. Clifford Horn, of Bayou La Batre, Mobile County, Alabama, and to authorize the Board of Revenue and Road Commissioners of Mobile County, Alabama, to compensate the said Mrs. Clifford Horn for damages suffered by her when she was permanently injured as a result of her automobile falling into a washed out bridge between Bayou La Batre and Grand Bay, both in Mobile County, Alabama, on the night of, to-wit, March 29th, 1946, breaking her leg, bruising her knee and left leg, lacerating her hip and chin, and causing her to be put to great expense in and about her treatment.

Also:

H. 418. To authorize the Court of County Commissioners of Bibb County to provide the Sheriff of Bibb County an automobile for his official use.

Also:

H. 331. To amend Sections 1 and 4 of Act 250, House Bill 295, which became law on August 30, 1939, under Section 125 of the Constitution and which relate to the creation of a Board of Revenue in and for Cherokee County, Alabama: providing for the nomination and election of members of the Board of Revenue by districts.

Also:

H. 332. To abolish the Law and Equity Court of Cherokee County, Alabama, making provision for the transfer of pending cases and causes.

Also:

H. 333. To increase the salary of the Judge of Probate of Cherokee County, Alabama, because of extra duties imposed upon him by abolishment of the Law and Equity Court of Cherokee County.

Also:

H. 334. To amend Section 2 of Act 162, approved June 17, 1943, which relates to salaries and allowances for certain officials and employees of Cherokee County.

Also:

H. 445. To provide for the payment of a mileage allowance to the Chief Deputy Sheriff of Randolph County in addition to a salary.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 447. To amend Section 1 of an Act approved July 10, 1940, entitled, "An Act To allow the Sheriff of Randolph County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Randolph County, Alabama, in monthly installments, and to require said deputy to give bond in the sum of two thousand dollars payable to the Sheriff, with conditions as required by Section 2595 of the Code of Alabama, 1923".

Also:

H. 293. To fix the salary of the Clerk of the Circuit Court of Walker County, Alabama, to provide for the payment of same out of the general fund of said county, and to provide that all fees and commissions allowed by law to said Clerk shall be collected by him and paid over to the Treasurer of the county for the use of the general fund; to provide for the employment of two clerks in said Circuit Clerk's office, to fix the amount of their salary, and to provide for the payment of same out of the general fund of said county.

Also:

H. 380. To provide for clerical assistance and office equipment and supplies for the office of the Judge of Probate in all counties in this State having a population of not less than 63,500 and not more than 66,000 according to the last or any subsequent Federal census; and to provide for payment for such clerical assistance and office equipment and supplies out of the general fund of such counties.

Also:

H. 437. To establish an inferior court of record to be called the Bessemer Civil and Misdemeanor Court; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other offi-

cers of said Court; to fix the terms or tenures of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same.

Also:

H. 438. To further amend sections 2 and 7 of the act establishing the Intermediate Civil Court of Birmingham, approved September 7, 1935 (Local Acts of Alabama, page 219), as amended by the act approved June 24, 1943 (Local Acts of Alabama, page 141).

Also:

H. 440. To regulate the Municipal Court of Birmingham (Third Division); to alter the name of the said Court; to fix the return dates of executions issued therefrom; to provide for continuance of cases therein to allow time for answering by defendant as now or may be hereafter provided by law; to provide for appointment and compensation of temporary judges therefor; to provide for vacations for the regular judge of said Court; to fix the salary of the regular judge of said Court and regulate the payment thereof; and to prescribe the duties of the clerk of the said Court and of other officers with respect to the said Court.

Also:

H. 436. To further define and extend the powers, authority and duties of circuit solicitors of the State of Alabama in judicial circuits having a population of four hundred thousand or more according to the last or any subsequent federal census; to impose extra, new, and additional duties upon such solicitors; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; to make provision for the payment of such additional compensation; to provide the effective date of this act; and to repeal all laws, general, local, and special in conflict with this act.

Also:

H. 433. To amend Section 2 of Act No. 175 of the Acts of the Legislature of Alabama of 1943, entitled, "An Act to further define and extend the powers, authority and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Mis-

demeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act," approved June 17, 1943.

J. E. Speight,
Secretary.

MOTION IN WRITING

Mr. Stone filed the following motion in writing:

I hereby move that consideration of the motion to reconsider the vote by which H. 70 passed this House be postponed to the next legislative day.

REPORT OF STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bills, to-wit:

H. 293. To fix the salary of the Clerk of the Circuit Court of Walker County, Alabama, to provide for the payment of same out of the general fund of said county, and to provide that all fees and commissions allowed by law to said Clerk shall be collected by him and paid over to the Treasurer of the county for the use of the general fund; to provide for the employment of two clerks in said Circuit Clerk's office, to fix the amount of their salary, and to provide for the payment of same out of the general fund of said county.

Also:

H. 331. To amend Sections 1 and 4 of Act 250, House Bill 295, which became law on August 30, 1939, under Section 125 of the Constitution and which relate to the creation of a Board of Revenue in and for Cherokee County, Alabama: providing for the nomination and election of members of the Board of Revenue by districts.

Also:

H. 332. To abolish the Law and Equity Court of Cherokee County, Alabama, making provision for the transfer of pending cases and causes.

Also:

H. 333. To increase the salary of the Judge of Probate of Cherokee County, Alabama, because of extra duties imposed upon him by abolishment of the Law and Equity Court of Cherokee County.

Also:

H. 334. To amend Section 2 of Act 162, approved June 17, 1943, which relates to salaries and allowances for certain officials and employees of Cherokee County.

Also:

H. 380. To provide for clerical assistance and office equipment and supplies for the office of the Judge of Probate in all counties in this State having a population of not less than 63,500 and not more than 66,000 according to the last or any subsequent Federal census; and to provide for payment for such clerical assistance and office equipment and supplies out of the general fund of such counties.

Also:

H. 418. To authorize the Court of County Commissioners of Bibb County to provide the Sheriff of Bibb County an automobile for his official use.

Also:

H. 433. To amend Section 2 of Act No. 175 of the Acts of the Legislature of Alabama of 1943, entitled, "An Act to further define and extend the powers, authority and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act," approved June 17, 1943.

Also:

H. 436. To further define and extend the powers, authority and duties of circuit solicitors of the State of Alabama in judicial circuits having a population of four hundred thousand or more according to the last or any subsequent federal census; to impose extra, new, and additional duties upon such solicitors; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; to make provision for the payment of such additional compensation; to provide the effective date of this act; and to repeal all laws, general, local, and special in conflict with this act.

Also:

H. 437. To establish an inferior court of record to be called the Bessemer Civil and Misdemeanor Court; to define the jurisdictions and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenures of office of the offi-

cers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same.

Also:

H. 438. To further amend sections 2 and 7 of the act establishing the Intermediate Civil Court of Birmingham, approved September 7, 1935 (Local Acts of Alabama, page 219), as amended by the act approved June 24, 1943 (Local Acts of Alabama, page 141).

Also:

H. 440. To regulate the Municipal Court of Birmingham (Third Division); to alter the name of the said Court; to fix the return dates of executions issued therefrom; to provide for continuance of cases therein to allow time for answering by defendant as now or may be hereafter provided by law; to provide for appointment and compensation of temporary judges therefor; to provide for vacations for the regular judge of said Court; to fix the salary of the regular judge of said Court and regulate the payment thereof; and to prescribe the duties of the clerk of the said Court and of other officers with respect to the said Court.

Also:

H. 445. To provide for the payment of a mileage allowance to the Chief Deputy Sheriff of Randolph County in addition to a salary.

Also:

H. 447. To amend Section 1 of an Act approved July 10, 1940, entitled, "An Act To allow the Sheriff of Randolph County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Randolph County, Alabama, in monthly installments, and to require said deputy to give bond in the sum of two thousand dollars payable to the Sheriff, with conditions as required by Section 2595 of the Code of Alabama, 1923".

Also:

H. 479. For the relief of Mrs. Clifford Horn, of Bayou La Batre, Mobile County, Alabama, and to authorize the Board of Revenue and Road Commissioners of Mobile County, Alabama, to compensate the said Mrs. Clifford Horn for damages suffered by her when she was permanently injured as a result of her automobile falling into a washed out bridge between Bayou La Batre and Grand Bay, both in Mobile County, Alabama, on the night of, to-wit, March 29th, 1946, breaking her leg, bruising her knee and left

leg, lacerating her hip and chin, and causing her to be put to great expense in and about her treatment.
And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-third vote of a quorum present, signed the bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By the Rules Committee:

S.J.R. 28. BE IT RESOLVED By the Senate, the House of Representatives concurring, that when the two Houses adjourn today, they adjourn to meet again on Thursday, July 17th, at 10.00 A. M.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. McGowin the rules were suspended and the House concurred in and adopted S.J.R. 28 set out in the above and foregoing message from the Senate.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business, which was the bill, H. 51.

Mr. Stone offered the following substitute for the bill, H. 51:

By Mr. Stone:

SUBSTITUTE FOR HOUSE BILL NO. 51. A BILL

To Be Entitled An Act To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Depart-

ments of the State, and for the interest on the public debt, and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1948, and September 30, 1949, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified or so much thereof as may be necessary:

FROM THE GENERAL FUND

I. EXECUTIVE:

THE GOVERNOR'S OFFICE:

| | |
|---|---------------------|
| For the salary of the Governor..... | \$ 6,000.00 |
| For other salaries..... | 22,000.00 |
| For other expenses..... | 7,000.00 |
| Total | \$ 35,000.00 |
| For the Governor's Contingent Fund..... | 25,000.00 |
| For the Governor's Emergency Fund..... | 100,000.00 |

(This appropriation entitled "Governor's Emergency Fund" is the appropriation contemplated in Section 105, Title 55 of the 1940 Code of Alabama and shall be expended under the provisions of said Section.)

For Division of Records & Reports..... 10,000

II. LEGISLATIVE:

For the organizational and regular session of the
Legislature for the fiscal year ending September
30, 1949, only..... 650,000.00

III. JUDICIAL:

(1) THE SUPREME COURT:

| | |
|--|------------------|
| For the salaries of the Chief Justice and six Associate Justices..... | 52,500.00 |
| For the salary of the Clerk of the Court | 4,500.00 |
| For the salary of the Court Reporter..... | 3,900.00 |
| For other salaries..... | 25,380.00 |
| For other expenses..... | 6,876.00 |
| Total | 93,156.00 |

| | |
|---|-----------|
| For the Supreme Court Library Fund..... | 3,000.00 |
| For the salary of supernumerary judges..... | 15,000.00 |

(2) THE COURT OF APPEALS:

| | |
|---------------------------------------|-----------|
| For salaries of the three judges..... | 21,000.00 |
| For other salaries..... | 11,420.00 |
| For other expenses..... | 2,500.00 |
| Totals | 34,920.00 |

(3) THE CIRCUIT COURTS:

| | |
|---|------------|
| For the salaries of judges of the circuit courts..... | 258,000.00 |
| For travel expenses of circuit judges..... | 6,000.00 |
| For salaries and travel expenses of special judges..... | 3,000.00 |
| For salaries of 24 circuit solicitors..... | 115,200.00 |
| For salary of the deputy circuit solicitor of the Bessemer Division of the 10th Judicial Circuit..... | 4,800.00 |
| For the salary of the assistant deputy so- licitor of the Bessemer Division of the 10th Judicial Circuit..... | 3,600.00 |
| For the salary of the 1st, 2nd, and 3rd deputy solicitor of the Birmingham Division of the 10th Judicial Circuit: \$4,200.00 each..... | 12,600.00 |
| For the salaries of the deputy circuit so- licitors of the 13th Judicial Circuit..... | 5,400.00 |
| For the salary of the deputy circuit so- licitor of the 15th Judicial Circuit..... | 4,200.00 |

| | |
|--|------------|
| Total | 145,800.00 |
| For the travel expenses of circuit solicitors..... | 4,400.00 |
| For telephone service, stationery, stamps and nec- essary equipment for the office use of circuit so- licitors, deputy circuit solicitors or assistants..... | 5,000.00 |

(4) COMPENSATION CIRCUIT COURT RE-
PORTERS—1943 Acts, Page 596.....

16,400.00

IV. CONSTITUTIONAL OFFICES:

(1) OFFICE OF THE ATTORNEY GENERAL:

| | |
|--|-----------|
| For the salary of the Attorney General.... | 5,700.00 |
| For other salaries..... | 64,300.00 |
| For other expenses..... | 10,000.00 |
| Total | 80,000.00 |

(2) OFFICE OF STATE AUDITOR:

| | |
|--|-----------|
| For the salary of the State Auditor..... | 4,800.00 |
| For other salaries..... | 23,300.00 |
| For other expenses..... | 900.00 |

Total 29,000.00

(3) OFFICE OF SECRETARY OF STATE:

| | |
|---|-----------|
| For the salary of Secretary of State..... | 4,800.00 |
| For other salaries..... | 11,200.00 |
| For other expenses..... | 2,000.00 |

Total 18,000.00

(4) OFFICE OF STATE TREASURER:

| | |
|--|-----------|
| For salary of the State Treasurer..... | 4,800.00 |
| For other salaries..... | 40,200.00 |
| For other expenses and compensation of fiscal agents..... | 10,000.00 |

Total 55,000.00

V. DEPARTMENTS, BOARDS, BUREAUS,
AGENCIES AND COMMISSIONS:(1) DEPARTMENT OF ARCHIVES AND
HISTORY:

| | |
|---|-----------|
| For the salary of the Director..... | 4,200.00 |
| For other salaries..... | 43,800.00 |
| For other expenses..... | 10,000.00 |
| For expenses of publication of the Ala- bama Historical Quarterly..... | 2,000.00 |

Total 60,000.00

(1½) PUBLIC LIBRARY SERVICE DIVISION:

| | |
|------------------------------|-----------|
| For salaries..... | 22,500.00 |
| For other expenses..... | 17,500.00 |
| For books and pamphlets..... | 40,000.00 |

Total 80,000.00

(2) DEPARTMENT OF COMMERCE:

| | |
|-------------------------------------|-----------|
| For the salary of the Director..... | 5,700.00 |
| For other salaries..... | 64,200.00 |
| For other expenses..... | 25,810.00 |

Total 95,710.00

(3) DEPARTMENT OF FINANCE:

Director's Office:

| | |
|-------------------|-----------|
| For salaries..... | 12,600.00 |
|-------------------|-----------|

| | |
|--|-------------------|
| For other expenses..... | 5,400.00 |
| | <u>18,000.00</u> |
| Division of the Budget: | |
| For salaries..... | 13,500.00 |
| For other expenses..... | 1,500.00 |
| | <u>15,000.00</u> |
| Division of Control and Accounts: | |
| For salaries..... | 69,000.00 |
| For other expenses..... | 15,500.00 |
| | <u>84,500.00</u> |
| Division of Examiners of Accounts: | |
| For salaries..... | 210,000.00 |
| For other expenses..... | 100,000.00 |
| | <u>310,000.00</u> |
| Division of Local Finance: | |
| For salaries..... | 7,200.00 |
| For expenses..... | 300.00 |
| | <u>7,500.00</u> |
| Division of Service: | |
| For salaries..... | 60,000.00 |
| For other expenses..... | 65,000.00 |
| | <u>125,000.00</u> |
| Division of Purchases and Stores: | |
| For salaries..... | 45,000.00 |
| For other expenses..... | 5,000.00 |
| | <u>50,000.00</u> |
| Division Legal: | |
| For salaries..... | 8,020.00 |
| For other expenses..... | 980.00 |
| | <u>9,000.00</u> |
| For office furniture and equipment for the executive, administrative, and ju- dicial departments | 15,000.00 |
| | <u>634,000.00</u> |
| Total | 634,000.00 |
| (4) DEPARTMENT OF HEALTH: | |
| For the salary of the State Health Officer | 6,000.00 |
| For other salaries and expenses..... | 316,600.00 |
| For contributions to County Health Units | 267,400.00 |

| | | |
|--|------------|---------------------|
| For subsidy to counties for the treatment of tuberculosis..... | 285,000.00 | |
| For study and treatment of cancer..... | 100,000.00 | |
| For the administration of Tuberculosis Hospitals | 25,000.00 | |
| For Blood Testing for Syphilis (1943 Acts of Legislature, Page 503)..... | 125,000.00 | |
| Total | | 1,125,000.00 |

(5) DEPARTMENT OF INDUSTRIAL RELATIONS:

| | | |
|--|-----------|-------------------|
| For salaries..... | 84,000.00 | |
| For other expenses..... | 26,000.00 | |
| Total | | 110,000.00 |
| For Employment Service for the fiscal year ending September 30, 1948, conditional upon the approval of the Governor..... | | 32,500.00 |
| For Employment Service for the fiscal year ending September 30, 1949, conditional upon the approval of the Governor..... | | 130,000.00 |

(6) DEPARTMENT OF REVENUE:

| | | |
|---|------------|-------------------|
| For salary of the Commissioner of Revenue | 5,700.00 | |
| For other salaries and expenses..... | 183,300.00 | |
| For expenses incident to Equalization Boards | 50,000.00 | |
| Total | | 239,000.00 |
| For salaries and expenses for the collection of estate and inheritance tax—estimated..... | | 3,000.00 |

(7) MILITARY DEPARTMENT:

| | | |
|---|-----------|-------------------|
| For salary of the Adjutant General..... | 5,000.00 | |
| For other salaries..... | 39,750.00 | |
| For other expenses..... | 19,750.00 | |
| For Quarterly Allowances..... | 55,000.00 | |
| For care and maintenance of armories..... | 50,000.00 | |
| For active military service..... | 67,000.00 | |
| Total | | 236,500.00 |

(8) PERSONNEL DEPARTMENT:

| | | |
|---------------------------------|-----------|------------------|
| For salary of the Director..... | 5,000.00 | |
| For other salaries..... | 40,000.00 | |
| For other expenses..... | 12,500.00 | |
| Total | | 57,500.00 |

(9) STATE BOARD OF ADJUSTMENT:

| | |
|-------------------------------------|-----------|
| For salaries and expenses..... | 500.00 |
| For awards by board, estimated..... | 20,000.00 |

| | |
|-------------|-----------|
| Total | 20,500.00 |
|-------------|-----------|

(10) DEPARTMENT OF AERONAUTICS:

| | |
|---------------------------------|-----------|
| For salary of the Director..... | 5,700.00 |
| For other salaries..... | 19,300.00 |
| For other expenses..... | 10,000.00 |

| | |
|-------------|-----------|
| Total | 35,000.00 |
|-------------|-----------|

(11) ALABAMA STATE PLANNING BOARD:

| | |
|---------------------------------|-----------|
| For salary of the Director..... | 5,000.00 |
| For other salaries..... | 50,000.00 |
| For other expenses..... | 45,000.00 |

| | |
|-------------|------------|
| Total | 100,000.00 |
|-------------|------------|

(12) STATE TOXICOLOGIST:

| | |
|---------------------------------------|-----------|
| For salary of State Toxicologist..... | 4,000.00 |
| For other salaries..... | 26,000.00 |
| For other expenses..... | 5,000.00 |

| | |
|-------------|-----------|
| Total | 35,000.00 |
|-------------|-----------|

(13) STATE LABOR DEPARTMENT:

| | |
|---------------------------------|-----------|
| For salary of the Director..... | 5,000.00 |
| For other salaries..... | 17,500.00 |
| For other expenses..... | 8,500.00 |

| | |
|-------------|-----------|
| Total | 31,000.00 |
|-------------|-----------|

(14) LEGISLATIVE REFERENCE SERVICE:

| | |
|-------------------------|-----------|
| For salaries..... | 29,000.00 |
| For other expenses..... | 6,000.00 |

| | |
|-------------|-----------|
| Total | 35,000.00 |
|-------------|-----------|

| | |
|------------------------------|----------|
| For Legislative Council..... | 1,000.00 |
|------------------------------|----------|

(15) DEPARTMENT OF VETERANS'

AFFAIRS for the fiscal year ending
September 30, 1948:

| | |
|-------------------------|------------|
| For salaries..... | 275,000.00 |
| For other expenses..... | 75,000.00 |

| | |
|-------------|------------|
| Total | 350,000.00 |
|-------------|------------|

DEPARTMENT OF VETERANS AFFAIRS for the fiscal year ending September 30, 1949 :

| | | |
|-------------------------|------------|------------|
| For salaries..... | 260,000.00 | |
| For other expenses..... | 40,000.00 | |
| Total | | 300,000.00 |

| | | |
|--|------------|------------|
| (16) EMPLOYEES RETIREMENT SYSTEM for the fiscal year ending September 30, 1948..... | 333,706.00 | |
| EMPLOYEES RETIREMENT SYSTEM for the fiscal year ending September 30, 1949..... | | 291,909.00 |

VI. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES:

(1) DEPARTMENT OF CONSERVATION:

Division of Game, Fish and Seafood:

| | | |
|--|-----------|--|
| For salaries and for other expenses incident to the preservation, development, and improvement of the State's oysters and oyster beds and shrimp; and for administration of Department of Conservation | 45,000.00 | |
|--|-----------|--|

Division of Forestry:

| | | |
|--|-----------|--|
| For salaries and other expenses incident to the operation of the Division of Forestry; and for administration of Department of Conservation..... | 80,000.00 | |
|--|-----------|--|

Division of State Lands:

| | | |
|---|-----------|--|
| For salaries and other expenses incident to the operation of the Division of State Lands; and for administration of Department of Conservation..... | 25,000.00 | |
|---|-----------|--|

Total 150,000.00

(The above appropriations to the Department of Conservation are in addition to other appropriations herein provided.)

(2) GEOLOGICAL SURVEY:

| | | |
|---|-----------|--|
| For salary of State Geologist..... | 4,800.00 | |
| For other salaries..... | 38,800.00 | |
| For other expenses..... | 43,900.00 | |
| For matching Federal funds for the investigation of the water resources of the State..... | 12,500.00 | |

Total 100,000.00

(3) STATE SOIL CONSERVATION
COMMITTEE:

| | |
|--|----------|
| For administration and other expenses incident to organization of soil conservation districts..... | 5,000.00 |
|--|----------|

| | |
|--|----------|
| (4) STATE SECURITIES COMMISSION (As provided in the 1943 Acts of the Legislature, Act No. 498), For salaries and expenses..... | 5,000.00 |
|--|----------|

VII. EDUCATION:

(1) ALABAMA INSTITUTE FOR DEAF AND BLIND:

For the maintenance, support, insurance, and upkeep of the Alabama Institute for Deaf and Blind, an educational institution which is a division of the public schools of Alabama, an amount to be fixed by the Governor at not less than \$305.00 per pupil per annum, and not more than \$560.00 per pupil per annum, such appropriation to be based on the number of pupils enrolled on the first day of January of each year, and to be drawn quarterly in advance by the Alabama Institute for Deaf and Blind and to be disbursed as directed by said board, estimated.....

392,000.00

(Any balance from the above appropriation to the Alabama Institute for Deaf and Blind shall remain in the hands of the treasurer of said institution and shall not revert to the State Treasury.)

| | |
|--|-----------|
| For salaries and expenses incident to instruction adult blind..... | 30,000.00 |
|--|-----------|

| | |
|-------------|------------|
| Total | 422,000.00 |
|-------------|------------|

(2) INTEREST ON ENDOWMENTS:

| | |
|--|-----------|
| For interest on Alabama College endowment..... | 38,215.75 |
|--|-----------|

| | |
|---|-----------|
| For interest on Alabama Polytechnic Institute endowment | 20,280.00 |
|---|-----------|

| | |
|---|-----------|
| For interest on University of Alabama endowment | 61,000.00 |
|---|-----------|

| | |
|---|--------|
| For interest on Grove Hill endowment..... | 600.00 |
|---|--------|

| | |
|--|--|
| For interest on Public School Fund endowments: | |
|--|--|

| | |
|---------------------------------|--|
| Interest on 16th Section Lands— | |
|---------------------------------|--|

| | |
|-----------------|------------|
| Estimated | 156,525.39 |
|-----------------|------------|

| | |
|------------------------------|--|
| Interest on School Indemnity | |
|------------------------------|--|

| | |
|-----------------------|-----------|
| Lands—Estimated | 24,526.08 |
|-----------------------|-----------|

Interest on Valueless. 16th Section

| | |
|-------------------------------------|-----------|
| Lands | 5,825.47 |
| Interest on Surplus Revenue..... | 26,763.47 |
| Interest on James Wallace Fund..... | 275.25 |

Total 213,915.66

(3) DEPARTMENT OF EDUCATION:

| | |
|-----------------------------------|-----------|
| For salary of superintendent..... | 4,560.00 |
| For other salaries..... | 95,440.00 |
| For other expenses..... | 25,000.00 |

Total 125,000.00

(4) ALABAMA SPECIAL EDUCATIONAL TRUST FUND.....

2,750,000.00

VIII. CHARITIES, HOSPITALS, AND CORRECTIONS:

(1) DEPARTMENT OF CORRECTIONS AND INSTITUTIONS:

For the administration, operation, and maintenance of the convict system and for the payment of criminal court costs. (This appropriation is in addition to other appropriations herein provided.) 471,000.00

(2) DEPARTMENT OF PUBLIC WELFARE:

| | |
|---|--------------|
| For salaries and expenses, for juvenile wards, for public welfare for old age assistance, and for social security..... | 686,650.00 |
| For additional old age assistance..... | 675,462.00 |
| For the Department of Public Welfare | 2,400,000.00 |
| For the sixty-seven counties of the State to be used for public welfare in cooperation with the State Department of Public Welfare or the Federal Government..... | 1,600,000.00 |

(One-half of the above appropriation to the counties shall be distributed proportionately among the sixty-seven counties of the State according to the population of said counties as shown by the last Federal census; and one-half of the appropriation shall be divided and distributed equally among the sixty-seven counties of the State.)

Total 5,362,112.00

(The above appropriations for the Department of Public Welfare are in addition to other appropriations herein set out.)

(3) ALABAMA BOYS' INDUSTRIAL SCHOOL:

For the maintenance, support, insurance, and upkeep of the Alabama Boys' Industrial School, an amount to be drawn quarterly in advance by the treasurer of the board of the Alabama Boys' Industrial School, and to be distributed as directed by said board.....

155,000.00

(Any balance from the above appropriation to the Alabama Boys' Industrial School at the end of any fiscal year shall remain in the hands of the treasurer of said institution and shall not revert to the State treasury.)

(4) ALABAMA REFORM SCHOOL FOR NEGROES:

For maintenance, support, insurance, and upkeep of the Alabama Reform School for Juvenile Negro Law Breakers, an annual amount to be drawn quarterly in advance by the treasurer of the Alabama Reform School for Juvenile Negro Law Breakers and to be disbursed as directed by said board

75,000.00

(Any balance from the above appropriation to the Alabama Reform School of Juvenile Negro Law Breakers at the end of any fiscal year shall remain in the hands of the treasurer of said institution and shall not revert to the State treasurer.)

(5) ALABAMA INSANE HOSPITALS:

For the support, maintenance and repair of Alabama Insane Hospitals, an amount to be fixed by the Governor at not less than \$3.00 per week nor more than \$8.00 per week for each patient, estimated for the fiscal year 1947-48.....
estimated for the fiscal year 1948-49.....

2,312,540.00

2,367,270.00

(6) PARTLOW STATE SCHOOL FOR MENTAL DEFICIENTS:

For the support, maintenance, and repair of the Partlow State School for Mental Deficients, an amount to be fixed by the Governor at not less than \$3.00 per week nor more than \$8.00 per week for each patient, estimated.....

335,000.00

(The above appropriations to the Alabama Insane Hospitals and the Partlow State School for Mental Deficients shall be payable and are to be disbursed as provided in Title 45, Section 189 to 230, inclusive, of the 1940 Code of Alabama and shall continue and the unexpended balances thereof shall not revert to the State Treasury at the end of any fiscal year.)

| | | |
|--|--|------------|
| (7) STATE TRAINING SCHOOL FOR GIRLS: For the maintenance, support insurance and upkeep of the State Training School for Girls, an annual amount to be drawn quarterly in advance by the treasurer of the board of the State Training School for Girls and to be disbursed as directed by said board..... | | 72,500.00 |
| (The appropriation herein made to the State Training School for Girls shall be payable and is to be disbursed as provided in Title 45, Sections 231 and 252, inclusive, of the 1940 Code of Ala- bama and shall continue and the unexpended bal- ance thereof shall not revert to the State treasury at the end of any fiscal year.) | | |
| (8) REMOVAL OF PRISONERS: For expenses incident to removal of prisoners..... | | 10,000.00 |
| (9) FEEDING PRISONERS: For expenses of feeding prisoners in county jails, estimated | | 275,000.00 |
| (10) ARREST OF ABSCONDING FELONS: For expenses incident to the arrest of absconding felons | | 1,000.00 |
| (11) BOARD OF PARDONS AND PAROLES: For salaries of board members..... | | 15,000.00 |
| For other salaries..... | | 120,000.00 |
| For other expenses..... | | 30,000.00 |
| Total | | 165,000.00 |

IX. DEBT SERVICE:

| | |
|---|------------|
| (1) For interest on Class A. Renewal and Class C. Renewal and Funding Renewal Bonds..... | 339,720.00 |
| (2) For principal on outstanding Harbor Im- provement Bonds | 250,000.00 |
| (3) For interest on outstanding Harbor Improve- ment for the fiscal year ending September 30, 1948 | 298,593.75 |
| (4) For interest on outstanding Harbor Improve- ment Bonds for the fiscal year ending Sep- tember 30, 1949..... | 287,906.25 |
| (5) For interest on Spanish American War Vet- erans Fund, estimated..... | 294.86 |

X. MISCELLANEOUS:

| | |
|---|------------|
| (1) Automatic Appeal Expense as provided in 1943 Acts of Legislature, Page 217..... | 6,000.00 |
| (2) For Spanish War Veterans encampment..... | 1,000.00 |
| (3) For advertising lands for tax sale..... | 1,000.00 |
| (4) For civil court costs in connection with ad valorem tax assessment appeals..... | 500.00 |
| (5) For mailing tax notices..... | 2,000.00 |
| (6) For registration of voters..... | 100,000.00 |
| (7) For expense Governor's Proclamations for 1947-48 | 15,000.00 |
| (8) For distribution of public documents..... | 1,000.00 |
| (9) For salaries and expenses of the First White House of the Confederacy..... | 2,500.00 |
| (10) To provide for vaccination program and for matching Federal funds for the purpose of indemnifying owners of cattle which have been condemned or slaughtered, after having reacted to the tests for tuberculosis, paratuberculosis, or Bangs Disease..... | 100,000.00 |
| (11) Temporary Clerk Fund..... | 3,500.00 |
| (12) Reward Sheriffs as provided in the 1945 Acts of the Legislature, Act No. 389..... | 1,000.00 |
| (13) Rental of State Offices for the fiscal year ending September 30, 1948..... | 30,000.00 |
| (14) Rental of State Offices for the fiscal year ending September 30, 1949..... | 20,000.00 |
| (15) Purchase Code Pocket Supplement for the fiscal year ending September 30, 1948..... | 20,000.00 |

FROM FUNDS OTHER THAN GENERAL FUNDS

XI. AGRICULTURE AND INDUSTRIES:

For compensation of the Commissioner of Agriculture and Industries, for other salaries, and for other expenses of operating the Department of Agriculture and Industries, the moneys in the Agricultural Fund as provided in Title 2, Article 4 of Chapter 1, of the 1940 Code of Alabama. Said moneys shall be expended for the purpose and in the manner provided in said Title 2, Article 4, of Chapter 1. Provided, that all expenditures under this ap-

propriation shall conform to the provisions of Article 3 of Chapter 4, Title 55, Code of Alabama 1940, and that the appropriation for each biennium shall be limited to \$500,000.00. For the payment of expenses and salaries incident to the operation of the Agriculture Center Board and the cost of operation and maintenance of the Agricultural Centers, there is hereby appropriated for each of the fiscal years ending September 30, 1948, and September 30, 1949, the sum of \$25,000.00 to be paid out of monies in the Agricultural Fund as provided in Title 2, Article 4 of Chapter 1 of the 1940 Code of Alabama, and the expenditure shall conform to the provisions of Article 3, Chapter 4, Title 55, Code of Alabama 1940.

For the payment of the expenses, salaries, operation and maintenance of the Alabama State Markets Board, there is hereby appropriated for each of the Fiscal years ending September 30, 1948 and September 30, 1949, the sum of \$38,874.92 to be paid out of monies in the Agricultural Fund as provided in Title 2, Article 4 of Chapter 1 of the 1940 Code of Alabama, and the Expenditures shall conform to the provisions of Article 3 of Chapter 4, Title 55, Code of Alabama, 1940.

XII. ALABAMA REAL ESTATE COMMISSION:

For compensation of commissioners, for salaries, and for other expenses incident to the duties of the commission, the Alabama Real Estate Fund as provided in Title 46, Section 300 of the 1940 Alabama code. Provided, that all expenditures under this appropriation shall conform to the provisions of Article 3, of Chapter 4, Title 55, Code of Alabama 1940.

XIII. ALABAMA PUBLIC SERVICE COMMISSION

For compensation of the President of the Commission, \$5,100.00; for compensation of two associate commissioners at \$4,500.00 each, \$9,000.00; for salaries and other expenses, \$110,900.00; total \$125,000.00. Provided, that the appropriation to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission; but if said fees and taxes do not equal the total amount of \$125,000.00, there shall not be paid out of the General Fund of the State any amount, but the appropriation for all said salaries and expenses of the Commission and its employees in such event shall be limited to the total amount of all said fees and taxes assigned to the Commission's said appropriation. In consideration of the fact that inspection and supervision fees of utilities and transportation companies, constituting the greater part of the funds made available for the salaries and expenses of the Commission and its

employees, are payable on February first of each year, the State Treasurer shall hold in the State treasury at the end of each fiscal year on September 30th as much as \$33,333.33, or such part of said sum of \$33,333.33 out of such fees and taxes assigned to this appropriations for the Commission, as may then be on hand, and the same shall be paid by the State Treasurer as provided by law for all such salaries and expenses of the Commission and its employees during the months of October, November, December, and January. Upon the close of business at the end of each fiscal year of the State, if the balance of the amount of such fees and taxes assigned to provide such appropriation for the Commission, then on hand in the State treasury, exceeds said sum of \$33,333.33, such excess shall be covered into the State treasury to the credit of the General Fund.

XIV. DEPARTMENT OF CONSERVATION

(a) Game, Fish, and Seafoods Division.—As provided in Act No. 230, approved July 9, 1945.

(b) State Parks Division.—As provided in Title 8, Section 183, Code of Alabama 1940, as amended by Act No. 228, approved July 9, 1945.

(c) Forestry Division.—As provided in Title 8, section 202, Code of Alabama 1940, as amended by Act No. 227, approved July 9, 1945.

(d) State Lands Division.—As provided in Act 341, approved July 9, 1945.

Provided, that all expenditures under this appropriation shall conform to the provisions of Article 3 of Chapter 4, Title 55, Code of Alabama 1940.

XV. DEPARTMENT OF PUBLIC WELFARE:

For the State Department of Public Welfare for old age assistance purposes, out of the proceeds from the levy of the one mill tax for the relief of needy Confederate veterans and their wives, all the surplus or residue thereof after the payment in full of the pensions to Confederate veterans and their wives and other charges against said fund set out in Title 49, Section 50 of the Code of Alabama 1940. In making this appropriation it is hereby declared to be the legislative policy that the Department of Public Welfare expend all the surplus or residue hereby appropriated and all moneys received by it from the Federal government for matching any or all funds expended for Confederate pensions or for matching the surplus or residue hereby appropriated for old age assistance purposes exclusively, insofar as it is possible under existing laws and the rules and regulations of the Federal government and of the Department of Public Welfare in regard thereto, be-

fore any part thereof may be expended for any other purposes by the Department of Public Welfare.

XVI. DEPARTMENT OF CORRECTIONS AND INSTITUTIONS:

For the salary of the Director of Corrections and Institutions, for other salaries, and for other expenses incident to the operation and maintenance of the convict system of Alabama, all receipts from its administration and from labor of the convicts; and in addition thereto such sum as shall be needed for the proper administration, operation, and maintenance of the convict system of Alabama from General Fund appropriations.

XVII. HIGHWAYS AND BRIDGES:

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay same; and for the compensation of the State Highway Director, for maintenance and construction of roads and bridges, for salaries, and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department by virtue of Federal aid.

XVIII. PENSIONS:

(1) For Confederate veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows as not provided by law, out of the proceeds from the levy of the one mill tax for the relief of needy Confederate soldiers and sailors and pay same such additional amount as may be necessary for the payment thereof.

(2) Pension Commission: For salaries, \$2,500.00; for other expenses, \$1,000 total \$3,500.00. Provided that the salaries and other expenses of the Pension Commission shall be paid out of the proceeds from the levy of the one mill tax for the relief of needy Confederate veterans and their widows.

XIX. PUBLIC SCHOOL FUND:

For the Public School Fund, the amounts appropriated from the General Fund, together with all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 260 of the Constitution of 1901; provided, that not more than four per cent of all

funds appropriated in this section shall be used or expended otherwise than for the payment of teachers employed in such schools.

XX. ALABAMA MILK CONTROL BOARD:

For compensation, salaries, and expenses and operating costs of the Milk Control Board, the moneys in the Milk Control Board Fund to be used only for the purpose of the administration of the Milk Control Board; provided that all expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, Title 55, Code of Alabama 1940.

XXI. DEPARTMENT OF PUBLIC SAFETY:

(1) For the salaries, expenses, and operating costs of the State Highway Patrol to be paid out of the Highway Patrol Fund as authorized by Article 1 of Title 36 of the Code of Alabama 1940; provided, that all expenditures under this appropriation shall conform to the provisions of Article 3, of Chapter 4, Title 55, of the Code of Alabama 1940, and that the appropriation for each year of the biennium shall be limited to \$1,100,000.00.

(2) For salaries and expenses incident to the operation of the Beverage enforcement Division of the Department of Public Safety \$300,000.00 or so much thereof as may be necessary from the proceeds of the Alcoholic Beverage Control Stores Funds; and provided that the expenditures for this appropriation shall be limited to the enforcement of the Alcoholic Beverage Control Laws and the rules and regulations of the Alcoholic Beverage Control Board and for no other purpose.

Section 2. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in any office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, Department, bureau, board, commission or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission or other agency is insufficient to pay all the salaries in that office, department, bureau, board commission or other agency according to the pay plan recommended by the personnel board, and approved by the Governor.

Section 3. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes.

Section 4. That, nothing in this act shall be construed to affect or repeal any law authorizing or permitting any college, school, or other institution of the State to receive, collect, or disburse any fees, tuition, charges, sales, endowments, trusts, or income therefrom, which it is now or may hereafter be authorized to receive, collect, or disburse.

Section 5. That the appropriations herein made, except appropriations to eleemosynary institutions and to the Alabama Institute for Deaf and Blind, are and shall be subject to the terms, conditions, provisions, and limitations of the Budget and Financial Control Act.

Section 6. That if any section, paragraph, sentence, clause, provision, or portion of this act or all or any portion of any appropriation of appropriations herein made be held unconstitutional or invalid, it shall not effect any other section, paragraph, sentence, clause, provision, or portion of this act, or any other appropriation or appropriations or portion thereof hereby made, not in and of itself unconstitutional or invalid.

Section 7. That all laws and parts of laws, general, special, private, or local, in conflict with or inconsistent with the provisions of this act, be and the same are hereby expressly repealed.

Section 8. That this act shall become effective on October 1, 1947.

On motion of Mr. Snodgrass the substitute offered by Mr. Stone was laid upon the table.

Yeas 50; Nays 48.

Yeas:

| | | | |
|-------------|-------------------|----------|---------------------|
| Mr. Speaker | Crocker | Ingalls | Pinson |
| Benford | Denton | Inzer | Roberts |
| Bennett | Doughty | Knight | Sellers |
| Black | Dyar | Larkins | Shelton |
| Brassell | Evans | Leonard | Snodgrass |
| Broadwater | Frasier | McDanal | Thompson (Crenshaw) |
| Buckner | Ganey | Mathison | Wallace |
| Busby | Garrett | Merrill | Weaver |
| Bush | George | Miller | White (Covington) |
| Callahan | Hankins | Mitchell | White (Perry) |
| Coburn | Haynes (Franklin) | Nelson | Wood (Washington) |
| Cole | Head | O'Neal | |
| Cox | Howell | Pinkston | —50 |

Nays:

| | | | |
|-------------------|-----------------|------------------|-----------|
| Messrs.: | Dobbs (Elmore) | Harris | McClendon |
| Adams (Dale) | Dobbs (Fayette) | Harrison | McGowin |
| Adams (Jefferson) | Duffee | Haynes (Lowndes) | McIlwain |
| Beatty | Dumas | Hornsby | Malone |
| Brannan | Faulk | Johnston | Martin |
| Brown | Gibson | Kaul | Mason |
| Davis | Gillis | Lovelace | Meeks |

| | | | |
|------------|----------|------------------|-------------|
| Molette | Sadler | Sullivan | Tucker |
| Norman | Shirley | Taylor (Autauga) | Vann |
| Ramey | Sightler | Taylor (Hale) | Ward |
| Richardson | Stewart | Thagard | Whitcomb |
| Robinson | Stone | Thompson (Pike) | Wood (Bibb) |
| Rogers | | | |

—48

Mr. Tucker offered the following amendment to the bill, H. 51:

AMENDMENT TO HOUSE BILL NO. 51 BY MR. TUCKER

Amend Section 1 of House Bill No. 51 by adding to Item I. thereof the following:

"For Division of Records and Reports.....\$10,000.00"

And the amendment was adopted.

Yeas 81; Nays 4.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Doughty | Leonard | Rogers |
| Adams (Dale) | Duffee | Lovell | Sellers |
| Adams (Jefferson) | Dumas | McClendon | Shelton |
| Barnett | Dyar | McDanal | Shirley |
| Benford | Evans | McDonald | Sightler |
| Bennett | Ganey | McIlwain | Snodgrass |
| Black | Garrett | Martin | Stone |
| Brannan | George | Mason | Sullivan |
| Brassell | Gibson | Mathison | Taylor (Autauga) |
| Broadwater | Gillis | Merrill | Thagard |
| Buckner | Hankins | Miller | Thomp- |
| Busby | Harrison | Mitchell | son (Crenshaw) |
| Bush | Haynes (Franklin) | Molette | Thompson (Pike) |
| Callahan | Haynes (Lowndes) | Nelson | Tucker |
| Cobb | Head | Norman | Wallace |
| Coburn | Hornsby | O'Neal | Weaver |
| Cox | Howell | Pinkston | Whitcomb |
| Crocker | Ingalls | Pinson | White (Covington) |
| Denton | Inzer | Ramey | Wood (Bibb) |
| Dobbs (Elmore) | Kaul | Roberts | Wood (Washington) |
| Dobbs (Fayette) | Larkins | | |

—81

Nays: Messrs. Beatty, Malone, Richardson, Stewart.

—4

Mr. Barnett, by request, offered the following amendment to the bill, H. 51, as amended:

By Mr. Barnett (by request):

Amend Subsection 7 of Section 1 of House Bill 51 as amended to read as follows:

| | |
|-------------------------------------|---------------------|
| For: Salaries | \$ 69,750.00 |
| Other expenses..... | 50,000.00 |
| Quarterly Allowances..... | 150,000.00 |
| Care & Maintenance of Armories..... | 97,250.00 |
| Active Military Service..... | 85,000.00 |
| Total | \$452,000.00 |

On motion of Mr. McGowin the amendment offered by Mr. Barnett was laid upon the table.

Yeas 57; Nays 30.

Yeas:

| | | | |
|----------------|------------------|------------|-------------------|
| Messrs.: | Faulk | Malone | Sightler |
| Beatty | Garrett | Mason | Stewart |
| Benford | Gibson | Meeks | Stone |
| Bennett | Hankins | Merrill | Sullivan |
| Black | Harris | Miller | Taylor (Autauga) |
| Brannan | Harrison | Norman | Taylor (Hale) |
| Broadwater | Haynes (Lowndes) | O'Neal | Thagard |
| Brown | Head | Pinkston | Vann |
| Busby | Howell | Pinson | Ward |
| Davis | Ingalls | Richardson | Weaver |
| Denton | Johnston | Roberts | Whitcomb |
| Dobbs (Elmore) | McClendon | Robinson | White (Perry) |
| Duffee | McDonald | Sadler | Wood (Bibb) |
| Dumas | McGowin | Shirley | Wood (Washington) |
| Dyar | McIlwain | | —57 |

Nays:

| | | | |
|-------------------|-------------------|----------|---------------------|
| Mr. Speaker | Cox | Knight | Rogers |
| Adams (Dale) | Evans | Larkins | Sellers |
| Adams (Jefferson) | Frasier | Lovlace | Thompson (Crenshaw) |
| Barnett | Ganey | McDanal | Tucker |
| Brassell | Haynes (Franklin) | Martin | Wallace |
| Callahan | Hornsby | Mathison | White (Covington) |
| Coburn | Inzer | Molette | |
| Cole | Kaul | Ramey | —30 |

Mr. Harrison offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MR. HARRISON

Amend House Bill #51 as amended by striking therefrom the following words and figures where the same appear on page 1 of the bill:

For the Governor's Emergency Fund (Section 105, Title 55) 200,000
and substituting therefor at such place on said page the following words and figures:

For the Governor's Emergency Fund (Section 105, Title 55) 100,000

"This appropriation entitled 'Governor's Emergency Fund' is the appropriation contemplated in Section 105, Title 55 of the 1940 Code of Alabama and shall be expended under the provisions of said section."

The motion of Mr. Snodgrass to table the amendment offered by Mr. Harrison was lost.

Yeas 25; Nays 66.

Yeas:

| | | | |
|-------------|-------------------|----------|---------------------|
| Mr. Speaker | Cole | Larkins | Snodgrass |
| Benford | Evans | Leonard | Thompson (Crenshaw) |
| Black | Frasier | McDanal | Wallace |
| Brassell | George | Mitchell | Weaver |
| Bush | Haynes (Franklin) | Roberts | White (Covington) |
| Callahan | Howell | Shelton | |
| Coburn | Knight | | |

—25

Nays:

| | | | |
|-------------------|------------------|------------|------------------|
| Messrs.: | Dyar | McGowin | Sellers |
| Adams (Dale) | Faulk | McIlwain | Shirley |
| Adams (Jefferson) | Garrett | Malone | Sightler |
| Beatty | Gibson | Martin | Stewart |
| Bennett | Gillis | Mason | Stone |
| Brannan | Hankins | Mathison | Sullivan |
| Broadwater | Harris | Meeks | Taylor (Autauga) |
| Brown | Harrison | Merrill | Taylor (Hale) |
| Busby | Haynes (Lowndes) | Miller | Thagard |
| Cox | Head | Molette | Thompson (Pike) |
| Crocker | Hornsby | Norman | Tucker |
| Davis | Ingalls | Pinson | Vann |
| Denton | Inzer | Ramey | Ward |
| Dobbs (Elmore) | Johnston | Richardson | Whitcomb |
| Dobbs (Fayette) | Kaul | Robinson | White (Perry) |
| Duffee | Lovelace | Rogers | Wood (Bibb) |
| Dumas | McDonald | Sadler | |

—66

And the amendment offered by Mr. Harrison was adopted.

Years 82; Nays 15.

Nays:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Duffee | McClendon | Sadler |
| Adams (Dale) | Dumas | McDonald | Sellers |
| Adams (Jefferson) | Dyar | McGowin | Shelton |
| Barnett | Faulk | McIlwain | Shirley |
| Beatty | Ganey | Malone | Sightler |
| Benford | Garrett | Martin | Stewart |
| Bennett | George | Mason | Stone |
| Black | Gibson | Mathison | Sullivan |
| Brannan | Gillis | Meeks | Taylor (Autauga) |
| Broadwater | Hankins | Merrill | Taylor (Hale) |
| Brown | Harris | Miller | Thagard |
| Busby | Harrison | Mitchell | Thompson (Pike) |
| Bush | Haynes (Lowndes) | Molette | Tucker |
| Cobb | Head | Norman | Vann |
| Cox | Hornsby | O'Neal | Wallace |
| Crocker | Howell | Pinson | Ward |
| Davis | Ingalls | Ramey | Whitcomb |
| Denton | Inzer | Richardson | White (Covington) |
| Dobbs (Elmore) | Johnston | Robinson | White (Perry) |
| Dobbs (Fayette) | Kaul | Rogers | Wood (Bibb) |
| Doughty | Lovelace | | |

—82

Nays:

| | | | |
|-----------|-------------------|----------|----------------|
| Messrs. : | Frasier | Leonard | Snodgrass |
| Brassell | Haynes (Franklin) | McDanal | Thomp- |
| Coburn | Knight | Pinkston | son (Crenshaw) |
| Cole | Larkins | Roberts | Weaver |
| Evans | | | |

—15

Mr. Ganey offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL NO. 51 AS AMENDED
BY MR GANEY

Amend Section VII. of H. 51 as amended so as to read as follows:

"VII. EDUCATION:**(1) ALABAMA INSTITUTE FOR DEAF AND BLIND:**

For the maintenance, support, insurance, and upkeep of the Alabama Institute for Deaf and Blind, an educational institution which is a division of the public schools of Alabama, an amount to be fixed by the Governor at not less than \$450.00 per pupil per annum, and not more than \$700.00 per pupil per annum, such appropriation to be based on the number of pupils enrolled on the first day of January of each year, and to be drawn quarterly in advance by the Alabama Institute for Deaf and Blind and to be disbursed as directed by said board, estimated..... 490,000.00

(Any balance from the above appropriation to the Alabama Institute for Deaf and Blind shall remain in the hands of the treasurer of said institution and shall not revert to the State Treasury.)

For salaries and expenses incident to instruction adult blind..... 30,000.00

Total 520,000.00"

And the amendment was adopted.

Yeas 82; Nays 11.

Yeas:

| | | | |
|-------------------|----------|------------|----------|
| Mr. Speaker | Benford | Broadwater | Callahan |
| Adams (Dale) | Bennett | Buckner | Cobb |
| Adams (Jefferson) | Brannan | Busby | Coburn |
| Beatty | Brassell | Bush | Cole |

| | | | |
|-----------------|-------------------|------------|-------------------|
| Cox | Harrison | Malone | Sellers |
| Crocker | Haynes (Franklin) | Martin | Shelton |
| Davis | Haynes (Lowndes) | Mathison | Stone |
| Denton | Head | Meeks | Sullivan |
| Dobbs (Elmore) | Hornsby | Merrill | Taylor (Autauga) |
| Dobbs (Fayette) | Howell | Miller | Taylor (Hale) |
| Doughty | Ingalls | Mitchell | Thagard |
| Duffee | Inzer | Molette | Thompson (Pike) |
| Dumas | Knight | O'Neal | Tucker |
| Dyar | Larkins | Pinkston | Vann |
| Evans | Leonard | Pinson | Wallace |
| Faulk | Lovelace | Ramey | Ward |
| Frasier | McClendon | Richardson | Weaver |
| Ganey | McDanal | Roberts | Whitcomb |
| Garrett | McDonald | Robinson | White (Covington) |
| George | McGowin | Rogers | Wood (Bibb) |
| Hankins | | | |

—82

Nays:

| | | | |
|----------|----------|----------|---------------|
| Messrs.: | Kaul | Sadler | Snodgrass |
| Gibson | McIlwain | Shirley | Stewart |
| Harris | Norman | Sightler | White (Perry) |

—11

Mr. Kaul offered the following amendment to the bill, H. 51, as amended:

Amend House Bill #51 as amended by striking therefrom the following words and figures where the same appear on page 2 of the bill

(1) Office of the Attorney General:

| | |
|---|---------|
| For the salary of the Attorney General..... | 5,700 |
| For other salaries..... | 84,300 |
| For other expenses..... | 15,000 |
| | 105,000 |

and substituting therefor at such place on said page the following words and figures:

(1) Office of the Attorney General:

| | |
|---|--------|
| For the salary of the Attorney General..... | 5,700 |
| For other salaries..... | 59,300 |
| For other expenses..... | 15,000 |
| | 80,000 |

The motion of Mr. Wallace to table the amendment offered by Mr. Kaul, was lost.

Yeas 44; Nays 49.

Yeas:

| | | | |
|--------------|---------|-------------------|-----------|
| Mr. Speaker | Cox | Gillis | Mitchell |
| Adams (Dale) | Crocker | Hankins | Pinkston |
| Benford | Davis | Harris | Roberts |
| Black | Doughty | Haynes (Franklin) | Sellers |
| Brassell | Evans | Howell | Shelton |
| Busby | Frasier | Knight | Sightler |
| Bush | Ganey | Larkins | Snodgrass |
| Callahan | Garrett | McDanal | Stewart |
| Cole | George | Mathison | Thomas |

| | | | |
|---------------------|---------|-------------------|-------------------|
| Thompson (Crenshaw) | Wallace | White (Covington) | Wood (Bibb) |
| Tucker | Weaver | White (Perry) | Wood (Washington) |

—44

Nays:

| | | | |
|-------------------|------------------|---------|------------------|
| Messrs.: | Faulk | McGowin | Richardson |
| Adams (Jefferson) | Gibson | Malone | Robinson |
| Barnett | Harrison | Martin | Sadler |
| Beatty | Haynes (Lowndes) | Meeks | Shirley |
| Bennett | Head | Merrill | Stone |
| Brannan | Hornsby | Miller | Sullivan |
| Buckner | Ingalls | Molette | Taylor (Autauga) |
| Coburn | Inzer | Nelson | Taylor (Hale) |
| Denton | Johnston | Norman | Thagard |
| Dobbs (Elmore) | Kaul | O'Neal | Thompson (Pike) |
| Dobbs (Fayette) | Lovejace | Pinson | Ward |
| Dumas | McClendon | Ramey | Whitcomb |
| Dyar | McDonald | | |

—49

And the amendment offered by Mr. Kaul was adopted.

Yeas 58; Nays 33.

Yeas:

| | | | |
|-------------------|------------------|-----------|------------------|
| Mr. Speaker | Dumas | Larkins | Ramey |
| Adams (Dale) | Dyar | Lovelace | Richardson |
| Adams (Jefferson) | Faulk | McClendon | Robinson |
| Beatty | Frasier | McDonald | Sadler |
| Bennett | Ganey | McGowin | Shirley |
| Brannan | Gibson | Malone | Sightler |
| Brassell | Hankins | Martin | Stone |
| Broadwater | Harrison | Merrill | Sullivan |
| Bush | Haynes (Lowndes) | Miller | Taylor (Autauga) |
| Coburn | Head | Mitchell | Taylor (Hale) |
| Cole | Hornsby | Molette | Thagard |
| Denton | Howell | Nelson | Thompson (Pike) |
| Dobbs (Elmore) | Ingalls | Norman | Ward |
| Dobbs (Fayette) | Johnston | Pinson | Weaver |
| Doughty | Kaul | | |

—58

Nays:

| | | | |
|----------|----------|-----------|-------------------|
| Messrs.: | Evans | O'Neal | son (Crenshaw) |
| Barnett | Garrett | Pinkston | Tucker |
| Benford | George | Roberts | Wallace |
| Black | Gillis | Sellers | Whitcomb |
| Buckner | Harris | Shelton | White (Covington) |
| Busby | Inzer | Snodgrass | White (Perry) |
| Callahan | Knight | Stewart | Wood (Bibb) |
| Crocker | McDanal | Thomas | Wood (Washington) |
| Davis | Mathison | Thomp- | |

—33

Mr. McIlwain offered the following amendment to the bill, H. 61, as amended:

AMENDMENT TO HOUSE BILL 51 BY MR. McILWAIN

Amend House Bill No. 51 as amended

By making subsection 9 of Section V to read as follows:

(9) STATE BOARD OF ADJUSTMENT:

For salaries and expenses.....\$ 3,600.00

For awards by board, estimated..... 20,000.00

Total \$ 23,600.00

And the amendment was adopted.

Yeas 72; Nays 18.

Yeas:

| | | | |
|--------------|------------------|-----------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Inzer | Robinson |
| Adams (Dale) | Dobbs (Fayette) | Knight | Sellers |
| Barnett | Doughty | Lovelace | Shelton |
| Beatty | Duffee | McClendon | Sightler |
| Benford | Dyar | McDanal | Stewart |
| Bennett | Evans | McDonald | Taylor (Autauga) |
| Brannan | Faulk | McGowin | Taylor (Hale) |
| Brassell | Frasier | McIlwain | Thagard |
| Broadwater | Ganey | Mathison | Thomas |
| Buckner | Garrett | Meeks | Thomp- |
| Busby | George | Miller | son (Crenshaw) |
| Bush | Hankins | Mitchell | Vann |
| Callahan | Harris | Molette | Ward |
| Coburn | Harrison | Nelson | Weaver |
| Cole | Haynes (Lowndes) | Pinkston | Whitcomb |
| Cox | Head | Pinson | White (Covington) |
| Crocker | Howell | Ramey | Wood (Bibb) |
| Davis | Ingalls | Roberts | Wood (Washington) |
| Denton | | | —72 |

Nays:

| | | | |
|-------------------|---------|------------|-----------------|
| Messrs.: | Kaul | O'Neal | Sullivan |
| Dumas | Larkins | Richardson | Thompson (Pike) |
| Gibson | Malone | Sadler | Tucker |
| Haynes (Franklin) | Martin | Shirley | White (Perry) |
| Johnston | Merrill | Stone | —18 |

Mr. Sellers offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MR. SELLERS

To amend House Bill 51 as amended

An amendment to Section V item 15 so as to read as follows:

Department of Veterans Affairs

For salaries and expenses for each of the years 1948 and 1949—
\$350,000.00

And the amendment was adopted.

Yeas 61; Nays 27.

Yeas:

| | | | |
|-----------------|------------------|-----------|-------------------|
| Messrs.: | Doughty | Lovelace | Sightler |
| Adams (Dale) | Dyar | McClendon | Stewart |
| Benford | Faulk | McIlwain | Sullivan |
| Bennett | Frasier | Martin | Taylor (Autauga) |
| Brannan | Ganey | Merrill | Taylor (Haie) |
| Broadwater | Garrett | Miller | Thagard |
| Brown | George | Molette | Thomas |
| Buckner | Hankins | Nelson | Tucker |
| Busby | Harris | Norman | Vann |
| Coburn | Harrison | Pinson | Ward |
| Cole | Haynes (Lowndes) | Ramey | Weaver |
| Crocker | Howell | Robinson | Whitcomb |
| Davis | Ingalls | Sadler | White (Covington) |
| Denton | Inzer | Sellers | White (Perry) |
| Dobbs (Elmore) | Johnston | Shirley | Wood (Washington) |
| Dobbs (Fayette) | Leonard | | |

—61

Nays:

| | | | |
|-------------|-------------------|------------|---------------------|
| Mr. Speaker | Evans | McDanal | Roberts |
| Barnett | Gibson | McDonald | Snodgrass |
| Beatty | Haynes (Franklin) | McGowin | Stone |
| Brassell | Head | Mathison | Thompson (Crenshaw) |
| Bush | Kaul | Mitchell | Thompson (Pike) |
| Callahan | Knight | O'Neal | Wallace |
| Dumas | Larkins | Richardson | |

—27

Mr. Larkins offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 AS AMENDED
BY MR. LARKINS

Amend House Bill 51 as amended by striking from Part V (4) thereof the following:

| | |
|---|-------------|
| "For other salaries and expenses..... | 316,600.00 |
| For contributions to County Health Units..... | 267,400.00 |
| For subsidy to counties for the treatment of tuberculosis | 385,000.00" |
| and substituting in lieu thereof | |
| "For other salaries and expenses..... | 366,600.00 |
| For contributions to County Health Units..... | 317,400.00 |
| For subsidy to counties for the treatment of tuberculosis | 285,000.00" |

And the amendment was adopted.

Yeas 47; Nays 43.

Yeas:

| | | | |
|--------------|-----------------|---------|-------------------|
| Mr. Speaker | Buckner | Doughty | Hankins |
| Adams (Dale) | Coburn | Duffee | Harris |
| Benford | Denton | Evans | Haynes (Franklin) |
| Black | Dobbs (Elmore) | Ganey | Head |
| Brassell | Dobbs (Fayette) | George | Knight |

| | | | |
|-----------|-----------|------------------|-------------------|
| Larkins | Norman | Stewart | Tucker |
| Leonard | O'Neal | Taylor (Autauga) | Wallace |
| Lovelace | Pinson | Taylor (Hale) | Weaver |
| McClendon | Roberts | Thagard | Whitcomb |
| McDonald | Sellers | Thomas | White (Covington) |
| McGowin | Shelton | Thompson | White (Perry) |
| Martin | Snodgrass | son (Crenshaw) | Wood (Bibb) |

—47

Nays:

| | | | |
|-------------------|------------------|----------|-------------------|
| Messrs.: | Crocker | Inzer | Richardson |
| Adams (Jefferson) | Dumas | Johnston | Robinson |
| Barnett | Dyar | Kaul | Rogers |
| Reatty | Faulk | McDanal | Sadler |
| Bennett | Garrett | McIlwain | Shirley |
| Broadwater | Gibson | Mathison | Sightler |
| Busby | Gillis | Meeks | Stone |
| Bush | Harrison | Merrill | Sullivan |
| Callahan | Haynes (Lowndes) | Miller | Thompson (Pike) |
| Cole | Howell | Molette | Vann |
| Cox | Ingalls | Pinkston | Wood (Washington) |

—43

Mr. Brown offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MR. BROWN

Amend House Bill 51 as amended by striking therefrom the following words and figures where the same appear on page 3 of the bill:

(5) Department of Industrial Relations:

| | |
|-------------------------|------------|
| For salaries..... | 135,000.00 |
| For other expenses..... | 40,000.00 |

| | |
|-------------|------------|
| Total | 175,000.00 |
|-------------|------------|

and substituting therefor at such place on said page the following words and figures:

(5) Department of Industrial Relations:

| | |
|-------------------------|--------------|
| For salaries..... | \$ 84,000.00 |
| For other expenses..... | 26,000.00 |

| | |
|-------------|------------|
| Total | 110,000.00 |
|-------------|------------|

The motion of Mr. Wallace to table the amendment offered by Mr. Brown, was lost.

Yeas 23; Nays 71.

Yeas:

| | | | |
|--------------|--------|----------|----------------|
| Messrs.: | Evans | Larkins | Shelton |
| Adams (Dale) | Gillis | Leonard | Snodgrass |
| Black | Head | McDanal | Thomas |
| Brassell | Howell | Mathison | Thompson |
| Broadwater | Inzer | O'Neal | son (Crenshaw) |
| Callahan | Knight | Roberts | Wallace |
| Cole | | | |

—23

Nays:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | McGowin | Sellers |
| Adams (Jefferson) | Dyar | McIlwain | Shirley |
| Barnett | Faulk | Malone | Stewart |
| Benford | Ganey | Martin | Stone |
| Bennett | Garrett | Meeks | Sullivan |
| Brannan | George | Merrill | Taylor (Autauga) |
| Brown | Gibson | Miller | Taylor (Hale) |
| Buckner | Hankins | Mitchell | Thagard |
| Busby | Harris | Molette | Thompson (Pike) |
| Bush | Harrison | Nelson | Tucker |
| Coburn | Haynes (Franklin) | Norman | Vann |
| Cox | Haynes (Lowndes) | Pinkston | Ward |
| Crocker | Hornsby | Pinson | Weaver |
| Davis | Ingalls | Ramey | Whitcomb |
| Denton | Johnston | Richardson | White (Perry) |
| Dobbs (Elmore) | Kaul | Robinson | Wood (Bibb) |
| Dobbs (Fayette) | McClendon | Rogers | Wood (Washington) |
| Duffee | McDonald | Sadler | |

—71

And the amendment offered by Mr. Brown was adopted.

Yeas 79; Nays 13.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Lovelace | Sellers |
| Adams (Dale) | Duffee | McClendon | Shirley |
| Adams (Jefferson) | Dumas | McGowin | Sightler |
| Barnett | Dyar | McIlwain | Snodgrass |
| Benford | Evans | Martin | Stewart |
| Bennett | Faulk | Meeks | Stone |
| Brannan | Ganey | Merrill | Sullivan |
| Brassell | Garrett | Miller | Taylor (Autauga) |
| Broadwater | George | Mitchell | Taylor (Hale) |
| Brown | Gibson | Molette | Thagard |
| Buckner | Hankins | Nelson | Thompson (Pike) |
| Busby | Harris | Norman | Tucker |
| Bush | Harrison | O'Neal | Vann |
| Coburn | Haynes (Franklin) | Pinkston | Ward |
| Cole | Haynes (Lowndes) | Pinson | Weaver |
| Cox | Hornsby | Ramey | Whitcomb |
| Crocker | Howell | Richardson | White (Perry) |
| Davis | Ingalls | Robinson | Wood (Bibb) |
| Denton | Johnston | Rogers | Wood (Washington) |
| Dobbs (Elmore) | Kaul | Sadler | |

—79

Nays:

| | | | |
|----------|---------|----------|---------|
| Messrs.: | Head | Leonard | Roberts |
| Black | Inzer | McDanal | Shelton |
| Callahan | Knight | Mathison | Wallace |
| Gillis | Larkins | | |

—13

Mr. Johnston offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MR. JOHNSTON

Amend H. 51 as amended by numbering as subsection (1) of Section XXI the words appearing as the first paragraph of such

Section; and inserting following such subsection (1), subsection (2) which shall be in words and figures as follows:

(2) For salaries and expenses incident to the operation of the Beverage Enforcement Division of the Department of Public Safety \$300,000 or so much thereof as may be necessary from the proceeds of the Alcoholic Beverage Control Stores Funds; and provided that the expenditures of this appropriation shall be limited to the enforcement of the Alabama Beverage Control Laws and the rules and regulations of the Alcoholic Beverage Control Board and for no other purpose.

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dyar | Lovelace | Rogers |
| Adams (Dale) | Evans | McClendon | Sadler |
| Adams (Jefferson) | Faulk | McDanal | Sellers |
| Beatty | Ganey | McDonald | Shelton |
| Benford | Garrett | McGowin | Shirley |
| Bennett | George | McIlwain | Sightler |
| Brannan | Gibson | Martin | Stewart |
| Broadwater | Gillis | Mathison | Stone |
| Brown | Hankins | Meeks | Sullivan |
| Buckner | Harris | Merrill | Taylor (Hale) |
| Busby | Harrison | Miller | Thagard |
| Bush | Haynes (Lowndes) | Mitchell | Thomas |
| Callahan | Head | Molette | Thompson (Pike) |
| Cox | Howell | Nelson | Tucker |
| Crocker | Ingalls | Norman | Wallace |
| Davis | Inzer | Pinkston | Ward |
| Denton | Johnston | Pinson | Whitcomb |
| Dobbs (Elmore) | Kaul | Ramey | White (Covington) |
| Dobbs (Fayette) | Knight | Richardson | Wood (Bibb) |
| Duffee | Larkins | Robinson | Wood (Washington) |
| Dumas | Leonard | | |

—82

Mr. Johnston offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MR. JOHNSTON #2

Amend House Bill #51 as amended by striking therefrom the following words and figures where the same appear on page 4 of the bill:

(8) Personnel Department:

| | |
|----------------------------------|-------------|
| For salary of the Director | \$ 5,000.00 |
| For other salaries | 50,000.00 |
| For other expenses | 17,500.00 |

\$72,500.00

and substituting therefor at such place on said page the following words and figures:

(8) Personnel Department:

| | |
|---------------------------------|-------------|
| For salary of the Director..... | \$ 5,000.00 |
| For other salaries..... | 40,000.00 |
| For other expenses..... | 12,500.00 |

 \$57,500.00

The motion of Mr. Wood (Washington) to table the amendment No. 2 offered by Mr. Johnston, was lost.

Yeas 23; Nays 67.

Yeas:

| | | | |
|-------------------|---------|-----------|---------------------|
| Mr. Speaker | Head | McDanal | Thompson (Crenshaw) |
| Callahan | Howell | McDonald | Tucker |
| Denton | Ingalls | Mathison | Wallace |
| Dumas | Knight | Roberts | White (Covington) |
| Evans | Larkins | Snodgrass | Wood (Washington) |
| Haynes (Franklin) | Leonard | Thomas | |

—23

Nays:

| | | | |
|-------------------|------------------|-----------|-----------------|
| Messrs.: | Crocker | Kaul | Richardson |
| Adams (Dale) | Davis | Lovelace | Robinson |
| Adams (Jefferson) | Dobbs (Elmore) | McClendon | Rogers |
| Barnett | Dobbs (Fayette) | McGowin | Sadler |
| Beatty | Duffee | Malone | Sellers |
| Bennett | Dyar | Martin | Shirley |
| Black | Faulk | Meeks | Sightler |
| Brannan | Ganey | Merrill | Stewart |
| Brassell | Garrett | Miller | Stone |
| Broadwater | George | Mitchell | Taylor (Hale) |
| Brown | Gibson | Molette | Thagard |
| Buckner | Hankins | Nelson | Thompson (Pike) |
| Busby | Harris | Norman | Vaht |
| Bush | Harrison | O'Neal | Ward |
| Coburn | Haynes (Lowndes) | Pinkston | Weaver |
| Cole | Inzer | Pinson | White (Perry) |
| Cox | Johnston | Ramey | Wood (Bibb) |

—67

And the amendment No. 2 offered by Mr. Johnston, was adopted.

Yeas 82; Nays 11.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|-----------|
| Mr. Speaker | Bush | Ganey | Inzer |
| Adams (Dale) | Coburn | Garrett | Johnston |
| Adams (Jefferson) | Cole | George | Kaul |
| Barnett | Crocker | Gibson | Leonard |
| Beatty | Davis | Gillis | Lovelace |
| Bennett | Dobbs (Elmore) | Hankins | McClendon |
| Brannan | Dobbs (Fayette) | Harris | McDanal |
| Brassell | Duffee | Harrison | McDonald |
| Broadwater | Dyar | Haynes (Franklin) | McGowin |
| Brown | Evans | Haynes (Lowndes) | McIlwain |
| Buckner | Faulk | Howell | Malone |
| Busby | Frasier | Ingalls | Martin |

| | | | |
|----------|------------|---------------|---------------------|
| Mathison | Pinkston | Shirley | Thompson (Crenshaw) |
| Meeks | Pinson | Sightler | Thompson (Pike) |
| Merrill | Ramey | Snodgrass | Vann |
| Miller | Richardson | Stewart | Ward |
| Mitchell | Robinson | Stone | Weaver |
| Molette | Rogers | Taylor (Hale) | Whitcomb |
| Nelson | Sadler | Thagard | White (Perry) |
| Norman | Sellers | Thomas | Wood (Bibb) |
| O'Neal | Shelton | | |

—82

Nays:

| | | | |
|----------|--------|---------|-------------------|
| Messrs.: | Dumas | Larkins | Wallace |
| Callahan | Head | Roberts | White (Covington) |
| Denton | Knight | Tucker | Wood (Washington) |

—11

Mr. Johnston offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO H. 51 BY MR. JOHNSTON #3

Amend House Bill #51 as amended by striking therefrom the following words and figures where the same appear on page 3 of the bill:

For office furniture and equipment for the executive, administrative and judicial departments \$25,000.00
and substituting therefor at such place on said page the following words and figures:

For office furniture and equipment for the executive, administrative and judicial departments— \$15,000.00

And the amendment No. 3 offered by Mr. Johnston, was adopted.

Yeas 82; Nays 6.

Yeas:

| | | | |
|-------------------|-------------------|------------|-----------------|
| Mr. Speaker | Doughty | Larkins | Robinson |
| Adams (Dale) | Duffee | Lovelace | Rogers |
| Adams (Jefferson) | Dumas | McClendon | Sadler |
| Barnett | Dyar | McDanal | Sellers |
| Beatty | Faulk | McDonald | Shelton |
| Benford | Ganey | McGowin | Shirley |
| Bennett | Garrett | McIlwain | Sightler |
| Brannan | George | Malone | Stewart |
| Broadwater | Gibson | Martin | Stone |
| Brown | Gillis | Mathison | Taylor (Hale) |
| Buckner | Hankins | Meeks | Thagard |
| Busby | Harris | Merrill | Thomas |
| Bush | Harrison | Miller | Thompson (Pike) |
| Callahan | Haynes (Franklin) | Mitchell | Tucker |
| Coburn | Haynes (Lowndes) | Molette | Wallace |
| Cole | Head | Nelson | Ward |
| Cox | Howell | Norman | Weaver |
| Crocker | Ingalls | Pinkston | Whitcomb |
| Davis | Inzer | Pinson | White (Perry) |
| Denton | Johnston | Richardson | Wood (Bibb) |
| Dobbs (Elmore) | Kaul | | |

—82

Nays:

| | | | | |
|-------------------|-------------------|--------------------|-----------|----|
| Messrs.: Black | Brassell Evans | Frasier Roberts | Snodgrass | —6 |
|-------------------|-------------------|--------------------|-----------|----|

Mr. Johnston offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO H. 51 BY MR. JOHNSTON #4

Amend House Bill #51 as amended by striking therefrom the following words and figures where the same appear on page 3 of the bill:

| | |
|-----------------------------------|-------------|
| Division of Purchases and Stores: | |
| For salaries..... | \$55,000.00 |
| For other expenses..... | \$10,000.00 |
| | \$65,000.00 |

and substituting therefor at such place on said page the following words and figures:

| | |
|----------------------------------|-------------|
| Division of Purchases and Stores | |
| For salaries..... | \$45,000.00 |
| For other expenses..... | \$ 5,000.00 |
| | \$50,000.00 |

And the amendment No. 4 offered by Mr. Johnston was adopted.

Yeas 81; Nays 6.

Yeas:

| | | | |
|-------------------|------------------|------------|-----------------|
| Mr. Speaker | Doughty | Larkins | Robinson |
| Adams (Dale) | Duffee | Leonard | Rogers |
| Adams (Jefferson) | Dumas | Lovelace | Sadler |
| Beatty | Dyar | McClendon | Sellers |
| Benford | Faulk | McDanal | Shelton |
| Bennett | Ganey | McDonald | Shirley |
| Brannan | Garrett | McGowin | Sightier |
| Brassell | George | McIlwain | Stewart |
| Broadwater | Gibson | Martin | Stone |
| Brown | Gillis | Mathison | Taylor (Hale) |
| Buckner | Hankins | Meeks | Thagard |
| Busby | Harris | Merrill | Thomas |
| Callahan | Harrison | Miller | Thompson (Pike) |
| Coburn | Haynes (Lowndes) | Mitchell | Tucker |
| Cole | Head | Molette | Wallace |
| Cox | Howell | Nelson | Ward |
| Crocker | Ingalls | Norman | Weaver |
| Davis | Inzer | O'Neal | Whitcomb |
| Denton | Johnston | Pinson | White (Perry) |
| Dobbs (Elmore) | Kaul | Richardson | Wood (Bibb) |
| Dobbs (Fayette) | | | —81 |

Nays:

| | | | | |
|---------------------|----------------|------------------------------|-----------|----|
| Messrs.: Barnett | Black Evans | Haynes (Franklin) Roberts | Snodgrass | —6 |
|---------------------|----------------|------------------------------|-----------|----|

Mr. Johnston offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO H. 51 BY MR. JOHNSTON #5

Amend House Bill #51 as amended by striking therefrom the following words and figures where the same appear on page 3 of the bill:

Division of Service

For salaries.....\$ 70,000.00

For other expenses.....\$105,000.00

\$175,000.00

and substituting therefor at such place on said page the following words and figures:

Division of Service

For salaries.....\$ 60,000.00

For other expenses.....\$ 65,000.00

\$125,000.00

And the amendment No. 5 offered by Mr. Johnston was adopted.

Yeas 73; Nays 16.

Yeas:

| | | | |
|-------------------|------------------|------------|-----------------|
| Mr. Speaker | Doughty | Johnston | Rogers |
| Adams (Dale) | Duffee | Kaul | Sadler |
| Adams (Jefferson) | Dumas | Lovelace | Sellers |
| Barnett | Dyar | McClendon | Shelton |
| Beatty | Faulk | McDonald | Shirley |
| Benford | Ganey | McGowin | Sightler |
| Brannan | Garrett | McIlwain | Stewart |
| Broadwater | George | Malone | Stone |
| Brown | Gibson | Martin | Taylor (Hale) |
| Buckner | Gillis | Mathison | Thagard |
| Busby | Hankins | Merrill | Thompson (Pike) |
| Callahan | Harris | Mitchell | Tucker |
| Coburn | Harrison | Molette | Vann |
| Cole | Haynes (Lowndes) | Nelson | Ward |
| Crocker | Head | Norman | Weaver |
| Davis | Howell | Pinson | Whitcomb |
| Denton | Ingalls | Richardson | White (Perry) |
| Dobbs (Elmore) | Inzer | Robinson | Wood (Bibb) |
| Dobbs (Fayette) | | | |

—73

Nays:

| | | | |
|----------|-------------------|-----------|-------------------|
| Messrs.: | Evans | Miller | Thomas |
| Benford | Haynes (Franklin) | O'Neal | Thomp- |
| Black | Larkins | Roberts | son (Crenshaw) |
| Brassell | Leonard | Snodgrass | Wood (Washington) |
| Cox | McDanal | | |

—16

Mr. Meeks offered the following amendment to the bill, H. 51, as amended:

TO AMEND SECTION 1 OF H. 51 AS AMENDED

Amend Section 1 of House Bill No. 51 Item VIII (2) thereof by striking therefrom the following:

"(One-half of the above appropriation to the counties shall be distributed proportionately among the sixty-seven counties of the State according to the population of said counties as shown by the last Federal census; and one-half of the appropriation shall be divided and distributed equally among the sixty-seven counties of the State.)"

And substituting in lieu thereof the following "The above appropriation shall be distributed proportionately among the sixty-seven counties of the State according to the population of said counties as shown by the last Federal census to be administered by the Department of Welfare".

On motion of Mr. Pinson the amendment offered by Mr. Meeks was laid upon the table.

Yeas 84; Nays 8.

Yeas:

| | | | |
|-----------------|-------------------|------------|-------------------|
| Mr. Speaker | Doughty | McClendon | Shirley |
| Adams (Dale) | Duffee | McDanal | Sightler |
| Barnett | Dyar | McDonald | Snodgrass |
| Benford | Evans | McGowin | Stewart |
| Bennett | Faulk | McIlwain | Stone |
| Black | Frasier | Martin | Sullivan |
| Brannan | Ganey | Mathison | Taylor (Hale) |
| Brassell | Garrett | Merrill | Thagard |
| Broadwater | George | Miller | Thomas |
| Brown | Gillis | Mitchell | Thompson |
| Buckner | Hankins | Molette | son (Crenshaw) |
| Busby | Harris | Nelson | Thompson (Pike) |
| Busli | Harrison | Norman | Tucker |
| Callahan | Haynes (Franklin) | O'Neal | Wallace |
| Coburn | Haynes (Lowndes) | Pinson | Ward |
| Cole | Head | Ramey | Weaver |
| Cox | Inzer | Richardson | Whitcomb |
| Crocker | Johnston | Roberts | White (Covington) |
| Davis | Larkins | Robinson | White (Perry) |
| Denton | Leonard | Sadler | Wood (Bibb) |
| Dobbs (Elmore) | Lovelace | Shelton | Wood (Washington) |
| Dobbs (Fayette) | | | |

—84

Nays:

| | | | |
|-------------------|--------|--------|--------|
| Messrs.: | Dumas | Kaul | Meeks |
| Adams (Jefferson) | Gibson | Malone | Sadler |
| Beatty | | | |

—8

Mr. Malone offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO H. 51 BY MR. MALONE #1

Amend H. 51 as amended by striking therefrom the following words and figures where the same appear on page 5 of said bill:-

"For expenses incident to improvement and maintenance of Division of State Parks conditional upon condition of Treasury and the approval of the Governor \$500,000.00"

And the amendment was adopted.

Yeas 72; Nays 18.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Larkins | Sadler |
| Adams (Dale) | Dumas | Lovelace | Shelton |
| Adams (Jefferson) | Faulk | McClendon | Shirley |
| Barnett | Ganey | McDonald | Sightler |
| Beatty | Garrett | McGowin | Stewart |
| Broadwater | Gibson | McIlwain | Stone |
| Brown | Gillis | Martin | Sullivan |
| Buckner | Hankins | Mathison | Taylor (Hale) |
| Busby | Harris | Meeks | Thagard |
| Bush | Harrison | Mitchell | Thomas |
| Callahan | Haynes (Franklin) | Molette | Vann |
| Coburn | Haynes (Lowndes) | Norman | Ward |
| Cox | Head | O'Neal | Weaver |
| Crocker | Howell | Pinkston | Whitcomb |
| Davis | Ingalls | Ramey | White (Covington) |
| Denton | Inzer | Richardson | White (Perry) |
| Dobbs (Elmore) | Johnston | Robinson | Wood (Bibb) |
| Dobbs (Fayette) | Kaul | Rogers | Wood (Washington) |

—72

Nays:

| | | | |
|----------|---------|----------------|----------|
| Messrs.: | Merrill | son (Crenshaw) | Brannan |
| Evans | Miller | Tucker | Brassell |
| Frasier | Pinson | Benford | Cole |
| George | Roberts | Bennett | Doughty |
| McDanal | Thomp- | Black | Dyar |

—18

Mr. Malone offered the following amendment to the bill, H. 51, as amended:

AMEND H. 51 AS AMENDED BY MR. MALONE #2

Amend H 51 as amended by striking from page 5 of said bill the following words and figures:

"Division of State Parks:

For salaries and other expenses incident to the operation of the Division of State Parks and for administration of Department of Conservation \$100,000.00".

And to substitute therefor the following words and figures:

"Division of State Parks.

For salaries and other expenses incident to the operation of the Division of State Parks and for administration of Department of Conservation \$35,000.00.

On motion of Mr. Brannan amendment No. 2 offered by Mr. Malone, was laid upon the table.

Yeas 70; Nays 24.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Davis | Kaul | Sellers |
| Adams (Dale) | Dobbs (Fayette) | Larkins | Shelton |
| Adams (Jefferson) | Doughty | Leonard | Sightler |
| Barnett | Duffee | Lovelace | Snodgrass |
| Benford | Dyar | McClendon | Stone |
| Bennett | Evans | McDanal | Sullivan |
| Black | Frasier | McDonald | Thagard |
| Brannan | Ganey | McGowin | Thompson |
| Brassell | Garrett | Mathison | son (Crenshaw) |
| Broadwater | George | Miller | Tucker |
| Brown | Gibson | Mitchell | Wallace |
| Buckner | Harrison | Molette | Ward |
| Busby | Haynes (Franklin) | Nelson | Weaver |
| Bush | Haynes (Lowndes) | O'Neal | Whitcomb |
| Coburn | Howell | Pinkston | White (Covington) |
| Cole | Ingalls | Pinson | White (Perry) |
| Cox | Inzer | Roberts | Wood (Washington) |
| Crocker | Johnston | Robinson | |

—70

Nays:

| | | | |
|----------|----------|------------|-----------------|
| Messrs.: | Hankins | Meeks | Shirley |
| Beatty | Harris | Merrill | Stewart |
| Callahan | Head | Norman | Taylor (Hale) |
| Denton | McIlwain | Ramey | Thomas |
| Dumas | Malone | Richardson | Thompson (Pike) |
| Faulk | Martin | Sadler | Wood (Bibb) |
| Gillis | | | |

—24

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:55 A.M. on July 15, 1947.

H. 218

H. 308

H. 477

H. 478

H J R. 29

Delivered to the Governor at 2:47 P.M. on July 15, 1947.

H. 293

H. 331

H. 332

H. 333

H. 334

H. 380

H. 418

H. 433

H. 436

H. 437

H. 438

H. 440

H. 445

H. 447

H. 479

R. T. Goodwyn, Jr.,
Clerk.

ADJOURNMENT

On motion of Mr. Tucker, the House, in accordance with S.J.R. 28 heretofore adopted, adjourned until Thursday, July 17, 1947, at 10 o'clock, A.M.

SIXTEENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, July 17, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend W. H. Swearingen, Director Religion and Education, Department of Corrections and Institutions.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | McClendon | Sellers |
| Adams (Dale) | Evans | McDanal | Shelton |
| Adams (Jefferson) | Faulk | McDonald | Shirley |
| Barnett | Frasier | McGowin | Sightler |
| Beatty | Ganey | McIlwain | Snodgrass |
| Benford | Garrett | Malone | Stewart |
| Bennett | George | Martin | Still |
| Black | Gibson | Mason | Stone |
| Brannan | Gillis | Mathison | Sullivan |
| Brassell | Givhan | Meeks | Taylor (Autauga) |
| Broadwater | Hankins | Merrill | Taylor (Hale) |
| Brown | Harris | Miller | Thagard |
| Buckner | Harrison | Mitchell | Thomas |
| Busby | Haynes (Franklin) | Molette | Thompson |
| Bush | Haynes (Lowndes) | Nelson | son (Crenshaw) |
| Callahan | Head | Norman | Thompson (Pike) |
| Cobb | Hornsby | O'Neal | Tucker |
| Coburn | Howell | Pinkston | Vann |
| Cole | Ingalls | Pinson | Wallace |
| Cox | Inzer | Pruitt | Ward |
| Crocker | Johnston | Ramey | Weaver |
| Davis | Kani | Richardson | Whitcomb |
| Denton | Knight | Roberts | White (Covington) |
| Dobbs (Elmore) | Larkins | Robinson | White (Perry) |
| Doughty | Leonard | Rogers | Wood (Bibb) |
| Duffee | Lovelace | Sadler | Wood (Washington) |
| Dumas | | | |

—104

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifteenth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the fifteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the fifteenth legislative day was approved.

MOTION IN WRITING BY MR. CALLAHAN

Having voted with the prevailing side I do hereby move that the vote by which Senate Bill 241 passed the House on the last Legislative Day be reconsidered.

The motion of Mr. Callahan was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Callahan:

H.R. 46. BE IT RESOLVED by the House of Representatives that the Clerk of the House be directed to request the Senate to return Senate Bill 241 by Mr. Mize which was passed by the House on the last Legislative Day.

On motion of Mr. Callahan, the rules were suspended and H.R. 46 was adopted.

CONSIDERATION OF BILL POSTPONED

On motion of Mr. Callahan, consideration of the Bill, S. 241, was postponed to the 18th Legislative Day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 432. To amend Title 13, Section 253, Code of Alabama 1940.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Owens:

S. 220. For the relief of Ada Staten.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 220. Ways and Means

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Hardwick:

S. 136. To mend Section 246, Title 28, Code of Alabama 1940.

Also:

By Mr. Hardwick:

S. 135. To amend Section 109, Title 10, Code of Alabama 1940.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 136. Judiciary

S. 135. Judiciary

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bills. to wit:

H. 80. To amend Section 157 of Title 55 of the 1940 Code of Alabama.

Also:

H. 113. To Amend Section 318, Title 15, of the 1940 Code of Alabama, as Amended by Act No. 251, General Acts of 1943, Approved June 24, 1943.

Also:

H. 315. To provide that any sheriff of the State of Alabama, except in all counties having a population according to the last or any subsequent Federal census of more than 100,000 population, shall in certain cases, be entitled to a sum equivalent to 10 cents per mile, to be taxed as costs, for executing a writ of arrest, or like process, issued by any court of competent jurisdiction of Alabama; and to provide for the payment of said claim.

Also:

H. 432. To amend Title 13, Section 253, Code of Alabama 1940. And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 246. For the relief of M. M. Mathis, Russell County, Alabama: authorizing and directing the Russell County governing body to pay M. M. Mathis one hundred and fifty dollars for the loss of his mule, killed during 1946 by county road machinery in performance of county functions.

Also:

S. 247. To authorize the county governing body of those counties having a population of more than 140,000 and less than 250,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Langan:

S. 228. To promote education in this state by authorizing and empowering county governing bodies and the governing bodies of the municipalities in the State of Alabama to undertake research into the history of the State of Alabama, its several counties and municipalities, its coastline and boundaries, and of the territory included therein, its geological deposits, agricultural and marine data, its rivers, streams and harbors, its history from the earliest times and especially during the colonial period, A.D. 1539 to 1815, and such general historical data and information, and to effect the completion and publication of official colonial records and other historical materials in the diffusion of knowledge in reference to the history and resources of the State of Alabama and its several counties and municipalities and the encouragement in general of historical work and research and to disseminate such information when obtained; to authorize county governing bodies and the governing bodies of municipalities to make appropriations of county funds and of municipal funds for such purpose; to empower county governing bodies and the governing bodies of municipalities to enter into contracts with persons, firms, corporations or associations to carry out the purposes of this act.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 228. Local Government

REPORT OF STANDING COMMITTEE ON RULES

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the House with a favorable report:

By Rules Committee:

H.R. 47. That the following bills be made special, paramount and continuing orders of business, following special orders now on the calendar: SB 226, page 51; HB 158, page 3; HB 77, page 3. HB 8, page 5; SB 68, page 5; HB 7, page 6; HB 78, page 31, HB

81, page 32; HB 75, page 36; HB 76, page 32; HB 88, page 39; HB 6, page 38; HB 9, page 38; HB 173, page 33; SB 162, page 52; HB 463, page 11; HB 246, page 17; HB 434, page 25; HB 423, page 18; HB 424, page 18; HB 137, page 24; and HB 153, page 8.

And H.R. 47 was adopted.

BILL RE-REFERRED

On motion of Mr. White (Covington) the bill, S. 222, was re-referred to the Standing Committee on Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Meeks, Martin and Miller:

H.J.R. 48. To create a joint legislative committee to study and make recommendations regarding the administration of the Alabama Alcoholic Beverage Control Board Act.

WHEREAS the purpose of the Alcoholic Beverage Control Board Act is for the protection of the public welfare, health, peace and morals of the people of the State, and to prohibit forever the open saloon; and

WHEREAS there has been public criticism of the administration of the Alabama Alcoholic Beverage Control Board Act, therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. A legislative investigating committee is hereby created to make a detailed study of the administration of the Alabama Alcoholic Beverage Control Board Act. The committee shall give particular emphasis to an examination of purchases made by the Alcoholic Beverage Control Board, and shall present to the Legislature within thirty days after the adoption of this Resolution a written report of its findings and recommendations.

2. The committee shall consist of nine members of the Legislature, five members of the House of Representatives appointed by the Speaker of the House and four members of the Senate appointed by the President of the Senate. The membership of the committee shall include at least two Representatives and two Senators who have been elected from wet counties. The members of the committee shall elect from their number a member of the House of Representatives to be chairman, and the committee shall meet at the call of the chairman. Members shall receive no additional compensation for services performed as a member of the committee; but if the committee meets during an adjournment or during a recess of the Legislature when members of the Legislature are not receiving compensation, the members of the committee shall re-

ceive their regular legislative compensation and expenses, which shall be paid out of the funds appropriated for the expenses of the 1947 Legislative Session.

3. In the performance of its duties, the committee shall have the power to issue subpoenas, to compel the attendance of witnesses and production of papers necessary to the conduct of its study. In case a person refuses to obey such subpoena, the chairman of the committee may invoke the aid of any circuit court in order that the testimony or evidence be produced. Upon proper showing, such court shall issue a subpoena or order requiring such person to appear before the committee and produce all evidence and give all testimony relating to the matter in issue. A person failing to obey such order may be punished by the court as for contempt.

The above and foregoing H.J.R. 48 was read and referred to the Standing Committee on Rules.

By Mr. Coburn:

H.J.R. 49. WHEREAS the death of the Honorable A. H. Carmichael has removed a great leader and true public servant of the State of Alabama, and

WHEREAS A. H. Carmichael's contributions to and efforts in behalf of the causes of education, public welfare, and conservation during his years in public life as a member of the Legislature of Alabama, the Congress of the United States, the State Board of Education, and the Board of Trustees of the University of Alabama have been incalculable and of lasting importance, and

WHEREAS the State has suffered a great loss in his death, therefore, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. The passing of A. H. Carmichael is deeply mourned by the Legislature of Alabama, and his memory revered.

2. The sympathy of the people of Alabama, through their legislative representatives, is hereby extended to the surviving children and other bereaved relatives of the deceased.

3. The Clerk of the House of Representatives is directed to forward to the family of A. H. Carmichael a copy of this resolution.

On motion of Mr. Coburn the rules were suspended and H.J.R. 49 was adopted.

By Messrs. Adams (Dale), Meeks, Thompson (Crenshaw), Leonard, Hornsby, and Black:

H.J.R. 50. A JOINT MEMORIAL Relating to Federal public assistance and social insurance legislation and public nursing homes for the chronically ill.

TO THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES OF AMERICA:

Your memorialist respectfully represents that the 1946 amendments of the "Social Security Act", although directed at the fundamental problem of financing the public assistance programs of

the several States, are temporary; that the Federal government participates financially only in programs which alleviate the needs of the aged, the blind, and dependent children, thereby compelling other persons in need to rely entirely upon State and local funds; that some States are unable to provide sufficient funds to assure equitable treatment of all persons in need; that many persons are being cared for through public assistance programs because no social insurance system has been devised whereby they may make contributions for their own support during old age or periods of inactivity, that under the terms of the "Social Security Act", no funds are available to public assistants recipients living in public institutions; that the restrictions thus imposed serve to discourage efforts to convert almshouses into nursing homes or to establish otherwise public hospitals and infirmaries for the chronically ill.

WHEREFORE YOUR MEMORIALIST, THE LEGISLATURE OF ALABAMA, PRAYS:

1. That the Congress will give immediate consideration to extension and liberalization of the Federal public assistance program.

2. That the Congress will enact legislation providing special Federal aid to low-income States through an equalization-grant formula that will enable such States to meet the public assistance needs not only of the aged, the blind, and dependent children but also of all other persons.

3. That the Congress will give immediate consideration to a comprehensive basic national system of social insurance designed to close existing gaps in the coverage of both persons and risks and remove present inequities in the protection of workers and the financial burdens of employers.

4. That the Congress will give most earnest consideration to the enactment of legislation eliminating from the "Social Security Act" restrictions which prevent or discourage the development within the several States of a comprehensive program of establishing and maintaining public nursing homes and infirmaries for the chronically ill.

The above and foregoing H.J.R. 50 was read and referred to the Standing Committee on Rules.

MOTION POSTPONED

On motion of Mr. Howell consideration of the motion to take from the Adverse Calendar the bill, H. 134, was postponed to the 18th Legislative Day.

BILLS ON SECOND READING

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Patterson:

S. 126. To amend Section 98 of Title 11 of the 1940 Code of Alabama, which relates to pay for jurors.

By Mr. Stone:

H. 630. To Amend Section 655 of Title 51 of the Alabama Code of 1940. Relating to distribution of proceeds of gasoline tax.

By Mr. Barnett:

H. 277. To establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Relations to act as Trustee for said Fund, to authorize the State Treasurer to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund.

By Mr. Russell:

S. 175. To amend Section 78, Title 30, Code of Alabama 1940.

By Mr. Russell:

S. 177. To amend Section 81, Title 30, Code of Alabama 1940.

By Mr. Russell:

S. 178. To amend Section 80, Title 30, Code of Alabama 1940.

By Mr. Barnett:

H. 487. To provide for the payment to the beneficiary of a reasonable attorney's fee by defendant in all cases where judgments or decrees of the Courts of Alabama are rendered against any person, company, corporation, co-partnership, association or other insurer and in favor of the beneficiary under any policy or contract of insurance executed by any such insurer, and to prescribe the manner of fixing and collecting such fees.

By Messrs. Ingalls, Sightler, Pinkston, and Busby:

H. 627. To authorize and require the Board of Revenue of Montgomery County, Alabama, to provide a pension or retiring allowance plan for the employees of said County, but not for the elective officials.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

By Mr. Harris (with substitute):

H. 480. To amend Title 55, Section 312 of the Code of Alabama of 1940.

By Mr. Barnett (with substitute):

H. 282. Prescribing the liability of an employer to make compensation by way of damages for certain occupational diseases contracted by an employee and which are peculiar to and arise out of and in the course of his employment, and providing for the enforcement of same, modifying common law and statutory remedies in such cases, regulating procedure for determination of liability and compensation payable, and prescribing penalties for violation thereof, and providing for attorney's fees and for medical and surgical services, and to be known as Article 3 of the Workmen's Compensation Act of Alabama.

By Messrs. Barnett, Inzer, Roberts, and Ingalls (with substitute):

H. 280. To provide that no part of the compensation payable under the Workmen's Compensation Law shall be paid to attorneys unless the circuit judge shall order or approve the employment of an attorney; to provide that, subject to stated maximum limits, the fee of any attorney payable out of workmen's compensation shall be fixed by the circuit judge; to provide that in no case under the Workmen's Compensation Law, except as otherwise provided therein, shall be compensation paid thereunder be more than twenty five dollars per week nor less than five dollars per week with the total amount of weekly payments not to exceed ten thousand dollars; to permit under certain conditions the commutation of periodic payments of workmen's compensation to one or more lump sum payments based on an amount equal to the present value of future installments on a four per cent basis; to require the employer in cases under the Workmen's Compensation Law to pay the actual cost of reasonably necessary medical and surgical treatment, attention, medicines, medical and surgical supplies, crutches and apparatus during the first six months of disability with the total liability therefor not to exceed five hundred dollars; to require an injured employee to submit himself to medical examination; to permit an autopsy where cause of death is obscure; and to repeal all laws or parts of laws in conflict herewith including expressly Sections 1,

6, 16 and 17 of Act Number 661 of the Regular Session of the 1939 Legislature, approved July 10, 1940.

By Mr. Stone (with substitute):

H. 628. To amend Section 95 of Title 47 of the Alabama Code of 1940.

By Messrs. Barnett, Inzer, Roberts, and Ingalls (with substitute):

H. 281. To amend Sections 279, 283, 287 and 301 of Title 26, 1940 Code of Alabama.

Mr. Miller, Vice-Chairman of the Standing Committee on Education, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Haynes (Franklin):

H. 639. To amend Sections 317, 318, 320, 322, 323, 325, and 327 of Title 28, 1940 Code of Alabama, relating to the State Insurance Fund.

By Mr. Miller:

H. 506. To provide for a board of trustees for the Alabama School of Trades, to define its duties, to limit the expenditures for such board, and to repeal Section 446, Title 52, Code of Alabama 1940.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Sone, Johnston, and Sullivan:

H. 104. To Amend Section 385, Title 51, Code of Alabama of 1940 as heretofore amended by General Act No. 448 of the Legislature of Alabama of 1943 (General Acts of Alabama of 1943, page 412) approved July 10th, 1943 entitled "An Act to Amend Section 385 of Title 51 of the Code of Alabama of 1940 to allow as a deduction in the computation of net income for income tax purposes certain non-trade or non-business expenses", and as heretofore amended by General Act No. 318 of the Legislature of Alabama of 1945 (General Acts of Alabama of 1945, page 515) approved July 7th, 1945, entitled "An Act to Amend Section 385, Title 51, Code of Alabama of 1940", so as to re-enact said Act No. 448 of the Legislature of 1943 and said Act No. 318 of the Legislature of 1945 hereinabove more particularly designated, combining the provisions of said enactments in one enactment and recognizing and making the provisions of each of said enactments as herein re-enacted effective retrospectively as of the respective effective dates of each of said enactments.

By Mr. Lowe:

S. 231. To authorize and provide for the payment of the sum of \$1800.00 out of any funds in the State Treasury to the credit of the Highway Patrol Fund for the relief of A. S. Logel, to reimburse him for hospital, doctor and medical bills, and for the permanent loss of the sight of his right eye, by reason of an accident occurring on the 19 day of March, 1944, while the said A. S. Logel was employed by the State of Alabama as a member of the State Highway Patrol, and while he was acting in the line and scope of his employment as a patrolman.

By Mr. Callahan:

H. 632. To amend Section 693, Title 51, Article 8, Chapter 20, Code of Alabama 1940.

By Messrs. Pinkston, Shirley, Thompson (Pike), Broadwater, Pruitt, Pinson, Barnett, Rogers, Bennett, and Howell:

H. 613. To make appropriations from the Alabama Special Educational Trust Fund for the support and maintenance of the Teachers Colleges of Alabama under the administration of the State Board of Education for each of the fiscal years ending September 30, 1948, and September 30, 1949.

By Mr. Patterson:

S. 21. To provide additional supernumerary judges for the State, prescribing their duties and powers, fixing their compensation and tenure of office, and making an appropriation to pay their salaries.

By Mr. Wallace:

H. 298. To declare the necessity for and to create a State Housing Corporation to provide housing to relieve the congested and unsanitary housing conditions which exist in certain areas of the State; defining the powers and duties of the corporation; authorizing the borrowing of money, the issuance of securities, and the pledge of revenues; and providing remedies for security holders.

By Mr. White (Covington):

H. 253. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940 as amended by Act 61, approved June 1, 1943.

By Mr. Clayton:

S. 164. To amend Sections 1 and 6 of Act 353, approved July 6, 1945, entitled, "To exempt bona fide permanent residents of Alabama who have served 90 days or more in the armed forces of the United States between September 16, 1940, and the termination of the existing war from certain State, county, and municipal business and occupational license taxation."

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on

the following bills and ordered same returned to the House with a favorable report with amendment:

By Messrs. Beck, Lovelace, Roberts, Buckner, Merrill, Tucker, Rogers, and McIlwain (with amendment):

H. 595. To further provide for the general revenue of Alabama; and to provide for the distribution of said revenue on a population basis among incorporated towns and cities of Alabama.

By Mr. White (Covington) (with amendment):

H. 254. To provide for the distribution of the net profits, including all taxes levied upon the selling price of all spirituous or vinous liquors, less all cost and expense of collecting said tax and less reserve for inventory and working capital.

Mr. Brown, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

By Mr. Thagard (with substitute):

H. 310. To amend Article 2, Chapter 67, Title 14, of the Code of Alabama.

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Cole and Brassell:

H. 222. To establish a City Commission for the City of Phenix City, Alabama; to provide for the appointment and election of the President and Mayor and members thereof and to prescribe and fix their duties; powers and responsibility and to fix their compensation; to provide for a Clerk of said Commission, fix his duty and compensation; to provide for the election or appointment of a City Attorney and a City Treasurer and to provide for their duties and compensation; to authorize the employment of a City Manager by said Commission and to provide for the officers and employees of said City and repeal all laws in conflict with the provisions of this Act.

By Mr. Hughes:

S. 16. To amend Section 257 of Title 13 of the 1940 Code of Alabama, as amended by An Act of the Legislature, approved July 7, 1945.

By Mr. Cater:

S. 238. To authorize the incorporation with respect to the several cities and towns in this state of public corporations for the purpose of owning and operating and contracting with others for the operation of athletic and recreational facilities; to provide the method of organizing such corporations and the management

thereof; to specify the powers of such corporations, including the power of eminent domain and the power to issue revenue bonds and negotiable notes and to make mortgages as security for any thereof; to provide that any revenue bonds issued by such corporations shall be payable solely from the revenues derived from any such properties owned by them; to authorize the refunding of any such bonds; to provide that all bonds of such corporations shall be negotiable instruments; to provide that no such mortgages may be foreclosed but to authorize the appointment of receivers upon default therein; to exempt from taxation such corporations and their properties and income and their bonds and the income therefrom; to provide that such municipalities shall not be liable for any obligations or agreements of such corporations; to authorize the municipalities with respect to which such corporations are organized to convey to such corporations any properties of such municipalities acquired or used for like athletic and recreational purposes; to authorize such corporations and municipalities to contract with each other respecting any properties so conveyed; to provide that upon payment of all their bonds such corporations shall be dissolved and title to their properties shall vest in the municipalities with respect to which they are organized; to provide for the filing of the certificates of incorporation, of deeds to such corporations and of their mortgages and certificates of dissolution without the payment of any taxes; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

By Mr. Roberts:

H. 614. To amend Section 461, Title 37, Code of Alabama, 1940, relating to codification of ordinances.

By Mr. Patterson:

S. 127. To provide for the establishment, acquisition, construction, maintenance, and operation of motor vehicle parking lots by incorporated municipalities.

By Mr. White (Perry):

H. 635. To amend Section 13 of an Act entitled "An Act to provide for State aid in the construction of county roads, as herein defined, and for that purpose to appropriate money out of the State Public Road and Bridge Fund to be used with an equal amount of money appropriated by the counties out of their Gasoline Excise Tax Funds for such construction, to be used under the joint supervision of the County and the State Highway Department through a division thereof to be known as the Bureau of County Aid; and to authorize the State Highway Department to make rules and regulations necessary or convenient for the administration of this act," approved July 1, 1943, as amended by section 7 of an Act entitled "An Act to amend the caption and Sections 1, 2, 5, 11, 12 and 13 of an Act entitled an Act to provide for State aid in the

construction of county roads, as herein defined, and for that purpose to appropriate money out of the State Public Road and Bridge Fund to be used with an equal amount of money appropriated by the counties out of their Gasoline Excise Tax Funds for such construction, to be used under the joint supervision of the County and the State Highway Department through a division thereof to be known as the Bureau of County Aid; and to authorize the State Highway Department to make rules and regulations necessary or convenient for the administration of this Act, approved July 1, 1943, Reported Acts 1943, pages 311-315," approved June 1, 1945.

By Mr. White (Perry):

H. 634. To amend Section 11 of an Act entitled "An Act to provide for State aid in the construction of county roads, as herein defined, and for that purpose to appropriate money out of the State Public Road and Bridge Fund to be used with an equal amount of money appropriated by the counties out of their Gasoline Excise Tax Funds for such construction, to be used under joint supervision of the County and the State Highway Department through a division thereof to be known as the Bureau of County Aid; and to authorize the State Highway Department to make rules and regulations necessary or convenient for the administration of this act," approved July 1, 1943, as amended by section 5 of an Act entitled "An Act to amend the caption and Sections 1, 2, 5, 11, 12 and 13 of an Act entitled an Act to provide for State aid in the construction of county roads, as herein defined, and for that purpose to appropriate money out of the State Public Road and Bridge Fund to be used with an equal amount of money appropriated by the counties out of their Gasoline Excise Tax Funds for such construction, to be used under the joint supervision of the County and the State Highway Department through a division thereof to be known as the Bureau of County Aid; and to authorize the State Highway Department to make rules and regulations necessary or convenient for the administration of this Act, approved July 1, 1943, Reported Acts 1943, pages 311-315," approved June 1, 1945.

Mr. Brassell, Chairman of the Standing Committee on Local Government, reported that said committee in session had acted on the following bills and ordered same returned to the House without recommendation:

By Mr. Ingals (without recommendation):

H. 288. To impose liability on persons in possession of real **estate who cause the obstruction of the view of motorists at street intersections.**

By Mr. Cater (by request) (without recommendation):

S. 266. To amend Section 13 of Title 3 of the Code of 1940 which relates to employment of County Officer to enforce laws as to cruelty to animals and children; duties, oaths and compensation.

By Mr. Ingalls (without recommendation):

H. 588. To amend Section 13 of Title 3 of the Code of 1940 which relates to employment of County Officer to enforce laws as to cruelty to animals and children; duties, oaths and compensation.

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Gillis and Tucker:

H. 638. To amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 24, 1932.

By Mr. Boutwell:

S. 278. To provide, in any city of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority to sponsor, promote, develop and foster agriculture and industry, and to provide educational, cultural and recreational facilities, exhibits and exhibitions and places of amusement and entertainment for the citizens of such city; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the city to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the city to make appropriations or to lend money to the authority; and to accord the authority exemption from State, county and city taxation.

By Mr. Mize:

S. 277. To amend Section 4 of Act No. 228, approved August 23, 1927 (Local Acts of Alabama, 1927, p. 130), which Act established the Inferior Court of Tuscaloosa County.

By Mr. Patton:

S. 275. Governing the compensation of the Superintendent of Education of Limestone County.

By Messrs. Snodgrass and O'Neal:

H. 640. To amend section six and section thirty-seven of an act approved July 10, 1940, entitled "An act to establish a county court of Jackson County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and the Probate Court of Jackson County, Alabama, to the Jackson County Court; and to provide for the transfer of certain cases pending in said Jackson County Court to the equity side of the Circuit Court of Jackson County, Alabama."

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Dobbs (Fayette) (with notice and proof):

H. 645. "AN ACT to authorize and empower the Judge of Probate of Fayette County, Alabama, to appoint a Chief Clerk, to fix the salary of said Chief Clerk, provide the method of payment of said salary, and to provide for or require said Chief Clerk to enter into an official bond in the sum of Twenty-Five Hundred (\$2,500.00) Dollars conditioned and payable as required by law.

Local Legislation.

Notice and proof H. 645:

LEGAL NOTICE

Notice is hereby given that there will be introduced at the present session of the Legislature of Alabama which convened in May 1947 a Bill in words and figures substantially as follows:

"AN ACT

to authorize and empower the Judge of Probate of Fayette County, Alabama to appoint a Chief Clerk, to fix the salary of said Chief Clerk, provide the method of payment of said salary, and to provide for or require said Chief Clerk to enter into an official bond in the sum of Twenty-Five Hundred (\$2,500.00) Dollars conditioned and payable as required by law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Judge of Probate of Fayette County, Alabama is hereby authorized and empowered to appoint a Chief Clerk to hold office at the pleasure of the Judge of Probate of said County.

Section II. That said Chief Clerk, so appointed, shall be paid a salary to be fixed by the Court of County Commissioners of Fayette County, Alabama, such salary to be not more than One Hundred and Fifty (\$150.00) Dollars per month.

Section III. The Court of County Commissioners of Fayette County, Alabama is hereby authorized and required to draw salary warrants monthly in favor of said Chief Clerk for the payment of the salary so fixed by said Court of County Commissioners, which warrants shall be drawn upon and paid out of the General Funds of said County.

Section IV. Said Chief Clerk shall make a bond conditioned and payable as required by law, in the sum of Twenty-Five Hundred (\$2,500.00) Dollars for the faithful performance of the duties of the office of Chief Clerk.

Section 5. Should any section, clause or provision of this Act be declared unconstitutional the same shall not affect the remaining sections, clauses or provisions hereof.

Section VI. This Act shall go into effect immediately upon passage and approval by the Governor.

STATE OF ALABAMA,
FAYETTE COUNTY.

Before me, P. D. Berry, a Notary Public in and for said County in said State personally appeared J. W. Ayres, who being by me first duly sworn according to law deposes and says that he is the Publisher of the Fayette County Times, a newspaper published in the City of Fayette, Alabama in Fayette County, Alabama; that the attached is a true, correct and complete copy of notice of the intention to introduce in the 1947 Legislature of Alabama a local bill providing for appointment and compensation of a chief clerk in the office of the Judge of Probate of Fayette County, Alabama, as published in said newspaper for four consecutive weeks in the issues of that newspaper published on June 15, 1947; June 22, 1947; June 26, 1947; and July 6, 1947; that said newspaper has been so published in said city for a period of more than fifty-two consecutive weeks prior to the date of said publication and has a general circulation in said city; and that said newspaper has been entered as second class mail matter in the United States Postoffice in said city for a period of more than fifty-two consecutive weeks prior to the date of said publication.

J. W. Ayres,

Sworn to and subscribed before me this 14th day of July, 1947.

P. D. Berry,

Notary Public.

(SEAL)

By Messrs. Miller, Roberts (with notice and proof):

H. 646. To amend Sections 1 and 3 of an act entitled, "An act to fix the compensation or salary to be paid the Tax Assessor of Etowah County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants and other assistants in said office of the Tax Assessor of Etowah County, Alabama, and to require said Tax Assessor to collect all fees, compensation and allowances heretofore or hereafter authorized to be collected by him, including compensation payable to him for making ad valorem tax assessments for the several municipalities in Etowah County, and to pay same into the county treasury of Etowah County; to provide for the payment of the salary or compensation of said Tax Assessor of Etowah County,

and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of said Tax Assessor, and to prescribe when this act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943 and set out in 1943 Local Acts of the Legislature of Alabama, pages 71 and 72 as Local Act No. 136.

Local Legislation.

Notice and proof H. 646:

NOTICE

Notice is hereby given of intention to apply to the present regular session of the Legislature of Alabama, which convened in May, 1947, for the passage of a local act applicable to Etowah County, Alabama, which act is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To amend Sections 1 and 3 of an act entitled, "An act to fix the compensation or salary to be paid the Tax Assessor of Etowah County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Assessor of Etowah County, Alabama, and to require said Tax Assessor to collect all fees, compensation and allowances heretofore or hereafter authorized to be collected by him, including compensation payable to him for making ad valorem tax assessments for the several municipalities in Etowah County, and to pay same into the county treasury of Etowah County; to provide for the payment of the salary or compensation of said Tax Assessor of Etowah County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of said Tax Assessor, and to prescribe when this act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 71 and 72 as Local Act No. 136.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 1 of an act entitled, "An act to fix the compensation or salary to be paid the Tax Assessor of Etowah County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Assessor of Etowah County, Alabama, and to require said Tax Assessor to collect all fees, compensation and allowances heretofore or hereafter authorized to be collected by him, including compensation payable to him for making ad valorem tax assessments for the several municipalities in Etowah County, and to pay same into the county treasury of Etowah County; to provide for the payment of the salary or compensation of said Tax Assessor of Etowah County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of said Tax Assessor, and to prescribe when this act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and

set out in 1943 Local Acts of the Legislature of Alabama, pages 71 and 72 as Local Act No. 136, be and it is hereby amended so as to read as follows: "Section 1. That the salary or compensation of the Tax Assessor of Etowah County, Alabama, shall be Four Thousand Eight Hundred and no-100 (\$4,800.00) Dollars, per year, and the said Four Thousand Eight Hundred and no-100 (\$4,800.00) Dollars, annual salary or compensation shall be paid out of the County Treasury of Etowah County, in equal monthly installments, at the end of each month, upon warrants drawn in the same manner as employees of Etowah County are paid."

Section 2. That Section 3 of said act be and it is hereby amended so as to read as follows: "Section 3. The Board of Revenue, or like governing body, of Etowah County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the said Tax Assessor, but the said Tax Assessor shall select such clerks, deputies, and assistants and shall fix their compensation, but the combined salaries or compensation of said clerks, deputies and assistants selected by him shall not exceed Six Thousand Eight Hundred and no-100 (\$6,800.00) Dollars, per annum. The said Tax Assessor shall have the right to discharge the said clerks, deputies and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of said clerks, deputies and assistants shall be paid in equal monthly installments out of the general funds of Etowah County, upon separate warrants drawn in the same manner as other employees of Etowah County are paid. In addition to the foregoing allowance the Board of Revenue, or like governing body, of Etowah County, shall pay for all necessary traveling expenses for annual trips over the County as required by law, but said Tax Assessor shall furnish all necessary drawings, maps, registers and plats as required by law, without additional charge or compensation therefor."

Section 3. This act shall become effective immediately upon its passage and approval by the Governor.

JAMES B. ALLEN,
EDWARD B. MILLER,
E. L. ROBERTS

J-21-28-Jy5-12

PROOF OF PUBLICATION

STATE OF ALABAMA. ETOWAH COUNTY.

Personally appeared before the undersigned, a Notary Public in and for said County and State C. R. Hofferbert who deposes and says on oath, that he is Editor of the Gadsden Times, a newspaper published at Gadsden, in Etowah County, Alabama, and that the attached notice appeared in the issues of the Gadsden Times June 21, 28; July 5, 12, 1947.

C. R. Hofferbert,
Sworn to and subscribed before me this 12 day of July 1947.

Nell T. Grimmett,
Notary Public State at Large

By Messrs. Miller, Roberts (with notice and proof):

H. 647. To amend Sections 1 and 3 of an act entitled, "An Act to Fix the Compensation or salary to be paid the Tax Collector of Etowah County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Collector of Etowah County, Alabama, and to require said Tax Collector to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, including compensation payable to him for collecting ad valorem taxes for the several

municipalities in Etowah County, and to pay same into the county treasury of Etowah County; to provide for the payment of the salary or compensation of said Tax Collector of Etowah County, and the clerks, deputies and other clerical assistants, and other office expenses out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Tax Collector, and to prescribe when this act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 69, 70 and 71 as Local Act No. 135.

Local Legislation.

Notice and proof H. 647:

NOTICE

Notice is hereby given of intention to apply to the present regular session of the Legislature of Alabama, which convened in May, 1947, for the passage of a local act applicable to Etowah County, Alabama, which act is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To amend Sections 1 and 3 of an act entitled, "An Act to Fix the Compensation or salary to be paid the Tax Collector of Etowah County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Collector of Etowah County, Alabama, and to require said Tax Collector to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, including compensation payable to him for collecting ad valorem taxes for the several municipalities in Etowah County, and to pay same into the county treasury of Etowah County; to provide for the payment of the salary or compensation of said Tax Collector of Etowah County, and the clerks, deputies and other clerical assistants, and other office expenses out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Tax Collector, and to prescribe when this act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 69, 70 and 71 as Local Act No. 135.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 1 of an act entitled, "An Act to fix the compensation or salary to be paid the Tax Collector of Etowah County, Alabama, and to regulate the payment of the same, to provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Collector of Etowah County, Alabama, and to require said Tax Collector to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, including compensation payable to him for collecting ad valorem taxes for the several municipalities in Etowah County, and to pay same into the county treasury of Etowah County; to provide for the payment of the salary or compensation of said Tax Collector of Etowah County, and the clerk, deputies

and other clerical assistants, and other office expenses out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Tax Collector, and to prescribe when this act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 69, 70, and 71 as Local Act No. 135, be and it is hereby amended so as to read as follows: "Section 1: That the salary or compensation of the Tax Collector of Etowah County, Alabama, shall be Forty-eight Hundred and no-100 (\$4,800.00) Dollars per year and the said Forty-eight Hundred and no-100 (\$4,800.00) Dollars, annual salary or compensation shall be paid out of the County Treasury of Etowah County, in equal monthly installment, at the end of each month, upon warrants drawn in the same manner as employees of Etowah County are paid."

Section 2. That Section 3 of said act be and it is hereby amended so as to read as follows: "Section 3. The Board of Revenue or like governing body of Etowah County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the said Tax Collector but the said Tax Collector shall select such clerks, deputies and assistants and shall fix their compensation, but the combined salaries or compensation of said clerks, deputies, and assistants selected by him shall not exceed Six Thousand Two Hundred and no-100 (\$6,200.00) Dollars, per annum. The said Tax Collector shall have the right to discharge the said clerks, deputies and assistants at will as they shall serve only at his pleasure. The salaries or compensation of said clerks, deputies and assistants shall be paid in equal monthly installments out of the general funds of Etowah County, upon separate warrants drawn in the same manner as other employees of Etowah County, Alabama, are paid. In addition to the foregoing allowance the Board of Revenue, or like governing body, of Etowah County, shall pay for all necessary traveling expenses for annual trips over the County as required by law, but said Tax Collector shall furnish all necessary reports, registers, and lists of qualified voters as required by law, without additional charge or compensation therefor."

Section 3. This act shall become effective immediately upon its passage and approval by the Governor.

JAMES B. ALLEN,
EDWARD B. MILLER,
E. L. ROBERTS.

J-21-28-Jy-5-12

PROOF OF PUBLICATION

STATE OF ALABAMA,
ETOWAH COUNTY.

Personally appeared before the undersigned, a Notary Public in and for said County and State C. R. Hofferbert who deposes and says on oath, that he is Editor of the Gadsden Times, a newspaper published at Gadsden, in Etowah County, Alabama, and that the attached notice appeared in the issues of the Gadsden Times June 21, 28; July 5, 12, 1947.

C. R. Hofferbert,
Sworn to and subscribed before me this 12 day of July 1947.
Nell T. Grimmett,
Notary Public State at Large

By Mr. Malone (with notice and proof):

H. 648. To subdivide Precinct Number Three of Houston County into four Election Districts; to identify the territorial limits of each District; to require all persons in said Precinct to vote in the District in which he or she may reside; and to repeal all laws and parts of laws in conflict with the provisions of the Act.

Local Legislation.

Notice and proof H. 648:

NOTICE

of the proposed introduction of a bill for passage at the 1947 session of the legislature of Ala.

Notice is hereby given that a local Bill will be introduced and its passage sought at the 1947 Session of the Legislature of Alabama, providing in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To subdivide Precinct Number Three of Houston County in 4 Election Districts, for the purpose of conducting elections; District Number One to include that portion of said Precinct and the Citizens residing therein situated north of East Main Street and the Dothan-Ashford Public Highway and situated east of North Foster Street, Headland Avenue and the Dothan-Headland Highway; District Number Two to include that portion of said Precinct and the Citizens residing therein situated south of East Main Street and the Dothan-Ashford Public Highway and east of South Foster Street and the Dothan-Marianna Public Highway; District Number Three to include that portion of said Precinct and the Citizens residing therein situated south of West Main Street and the Dothan-Enterprise Public Highway and situated west of South Foster St. and the Dothan-Marianna Public Highway; District Number Four to include that portion of said Precinct and the Citizens residing therein situated west of North Foster Street, Headland Avenue and the Dothan-Headland Public Highway and North of West Main Street and the Dothan-Enterprise Public Highway; all qualified Electors residing within the Precinct are required to cast their ballots in all Elections within the District in which such Elector resides; and to repeal all laws and parts of laws in conflict with the Provisions of the Act.

Dated at Dothan, Alabama, this the 10th day of June, 1947.

W. D. Malone,
Representative from Houston County.

PROOF OF PUBLICATION

STATE OF ALABAMA.
HOUSTON COUNTY.

Personally appeared before the undersigned, a Notary Public in and for said County and State L. S. Deal, who deposes and says on oath, that he is Editor-Publisher of THE HOUSTON HERALD, that said Houston Herald is printed in the English language; is printed and published in Houston County; has a general circulation in Houston County, and is mailed under the second class mailing privilege of the United States Postoffice department from Dothan post-office. Said Houston Herald was published for more than fifty-two consecutive weeks prior to, and continuously throughout the publication dates of the attached advertisement, which was published for four consecutive weeks on the following dates: June 12-19-26, July 3, 1947.

(Signed) L. S. Deal,
Editor-Publisher.
James L. Acree,
Notary Public.

Sworn to and subscribed before me this the 7th day of July, 1947.

(SEAL)

By Mr. Malone (with notice and proof):

H. 649. To subdivide the City of Dothan into wards for the purpose of conducting municipal elections; to identify the territorial limits of each ward; to require all qualified electors residing

in the City and voting in a municipal election to cast their ballot in the ward in which such elector resides; and to repeal all laws or parts of laws in conflict with the provisions of the Act.

Local Legislation.

Notice and proof H. 649:

NOTICE

of the proposed introduction of a local bill for passage at the 1947 Session of the Legislature of Alabama.

Notice is hereby given that a local bill will be introduced and its passage sought at the 1947 Session of the Legislature of Alabama, providing in substance as follows:

A BILL TO BE ENTITLED AN ACT

To subdivide the City of Dothan into four wards for the purpose of conducting Municipal Elections; Ward Number One to include that portion of the City of Dothan and the citizens residing therein situated east of North Foster Street and Headland Avenue and North of East Main St.; Ward Number two to include that portion of the City of Dothan and the Citizens residing therein situated south of East Main Street and east of South Foster Street; Ward Number Three to include that portion of the City of Dothan and the Citizens residing therein situated west of South Foster Street and South of West Main Street; Ward Number Four to include that portion of the City of Dothan and the Citizens residing therein situated north of West Main Street and west of North Foster Street and Headland Avenue; to require qualified electors residing within the City of Dothan to cast their ballots in all Municipal Elections within the Ward in which such Elector resides; and to repeal all laws and parts of laws in conflict with the Provisions of the Act.

Dated at Dothan, Alabama, this the 5th day of June, 1947.

W. D. Malone,
Representative of Houston County.

PROOF OF PUBLICATION

STATE OF ALABAMA.
HOUSTON COUNTY.

Personally appeared before the undersigned, a Notary Public in and for said County and State L. S. Deal who deposes and says on oath, that he is Editor-Publisher of THE HOUSTON HERALD, that said Houston Herald is printed in the English language; is printed and published in Houston County; has a general circulation in Houston County, and is mailed under the second class mailing privilege of the United States Postoffice department from the Dothan postoffice. Said Houston Herald was published for more than fifty-two consecutive weeks prior to, and continuously throughout the publication dates of the attached advertisement, which was published for four consecutive weeks on the following dates: June 12-19-26 and July 3, 1947.

(Signed) L. S. Deal,
Editor-Publisher.

Sworn to and subscribed before me this the 7th day of July, 1947.

James L. Acree,
Notary Public.

(SEAL)

By Mr. Lovelace (with notice and proof):

H. 650. To authorize The Board of Revenue of Escambia County, Ala. to allow and pay the necessary, actual, reasonable, and monthly expenses of the Members of said Board in the performance of their Public and Official Duties as Members of said Board for the amount agreed on by said Board, of (\$65.00) Sixty-Five-Dollars per month for each member and not less than said amount until the further orders of said Board.

Local Legislation.

Notice and proof H. 650:

PUBLIC NOTICE

State of Alabama, Escambia County, City of Brewton, March 10, 1947.

Public notice is hereby given as required by law and Section 106 of the Constitution. That the undersigned Escambia County, Ala. and its Board of Revenue do intend to apply to the May 1947 Session of The Legislature of Alabama to have enacted into a law a Local Bill. That this Notice is published at least once a week for (4) four consecutive weeks prior to the introduction of said Bill in the Legislature. That this Notice is published in said County and published in a newspaper published in said County being "The Brewton Standard." That this Notice is published without cost to the State. That said Local Bill and its substance is as follows:

A BILL ENTITLED

An Act to authorize The Board of Revenue of Escambia County, Ala. to allow and pay the necessary, actual, reasonable and monthly expenses of the Members of said Board in the performance of their public and Official Duties as Members of said Board for the amount agreed on by said Board, of (\$65.00) Sixty-Five Dollars per month for each member and not less than said amount until the further orders of said Board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That The Board of Revenue of Escambia County, Ala. is hereby authorized to allow and pay the necessary, actual, reasonable and monthly expenses of the Members of said Board in the performance of their Public and Official Duties as Members of said Board for the amount as agreed on by said Board of (\$65.00) Sixty-Five Dollars per month for each Member and not less than said amount until the further orders of said Board, for the reasons and grounds, and also as hereinafter shown.

Section 2. That on account of the now prevailing high cost of Automobiles, their maintenance and repairs and the high cost of motor fuel, gasoline and lubricating oil, all of which is now used and required by law to be used, by said Members in the performance of their said Official Duties, but at their own private cost and expenses, under the law governing said Board, and on account of the **present high cost of everything now prevailing; on account of the large, extensive and heavy State and County-Road Program agreed on by said County for the present and near future for the construction, maintenance, acquirement of right of way, and repairs of State Roads and Farm to Market paved roads, for the present and near future and their increase hereafter; there being now under construction six of such road paving projects in said County which average a distance of about (15) fifteen miles each from the residences of the Members of said Board, and also for the maintenance and repairs of all County Roads and**

Bridges heretofore constructed and those now being planned for construction, and the purchaser of labor and material under said Program. That all of the same must be done under the personal direction, control and supervision of said Board and its members. Said Board being responsible for the construction, maintenance and repairs of all County Public Roads and Bridges throughout the County as now required by law governing said Board. That the foregoing are some of the reasons for the allowance of said expenses.

Section 3. That said expenses for each Member of said Board is authorized to be allowed and paid by said Board at the rate of (\$65.00) Sixty-Five Dollars per month payable monthly at the end of each month out of any lawful funds and revenues of said County and not less than said amounts until the further orders of said Board. That said Board may hereafter reduce said expenses, if, as and when, the general economic conditions shall be adjusted and become more normal. That said Board may also hereafter, when conditions warrant it, reduce, said expenses, or refuse to allow the same, and may also cancel and repeal the provisions of this Act. That this Act shall go into effect from and after its passage and approval by the Governor.

ESCAMBIA COUNTY, ALABAMA AND ITS BOARD OF REVENUE.

By Thos. A. Peavey,

Chairman of said Board and Judge of Probate of said County.

PROOF OF PUBLICATION

STATE OF ALABAMA,
ESCAMBIA COUNTY.

I, W. E. Brooks, Jr., publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for (four) 4 consecutive weeks, namely, in the issues of Thursday March 13th, 1947; March 20th, 1947; March 27th, 1947; April 3rd, 1947.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks. Said Notice and Copy of Local Bill is above shown.

W. E. Brooks, Jr.,
Publisher.

Subscribed and sworn to before me this 7 day of April, 1947.

(SEAL)

Grace Holley,
Notary Public, Escambia County, Ala.

By Mr. Harris:

H. 651. To require the licensing, inspection and regulation of all hospitals (except hospitals operated by the federal government), as herein defined, under the supervision of the State Board of Health, with the advice of the Advisory Council, providing for regulations, enforcement procedures, penalties and appropriations; to repeal any existing ordinances or statutes in conflict with the provisions of this Act.

Ways and Means.

By Mr. Harris:

H. 652. To provide for the adoption of adults.

Judiciary.

By Mr. Harris:

H. 653. To provide that building permits issued by municipalities within the State of Alabama between Jan. 1, 1941 and May 1, 1941 shall be valid, and construction may be made pursuant to such permits even though such construction be in conflict with the terms of a zoning ordinance thereafter adopted by such municipality, where construction under such building permit was prevented by reason of the scarcity of labor or materials.

Judiciary.

By Mr. Benford (with notice and proof):

H. 654. To provide for an additional deputy sheriff for Marshall County, Alabama, to fix his salary, time and method of its payment, funds that it shall be paid from and make it a preferred claim against the general fund and provide when this act shall take effect.

Local Legislation.

Notice and proof H. 654:

NOTICE

Notice is hereby given that application will be made to the Legislature for enactment into law of the following proposed bill to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for an additional deputy sheriff for Marshall County, Alabama, to fix his salary, time and method of its payment, funds that it shall be paid from and make it a preferred claim against the general fund and provide when this act shall take effect.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section One. That the Sheriff of Marshall County, Alabama, be and he is hereby allowed an additional deputy sheriff for said county in addition to those now provided for by law whose salary shall be paid by said county out of the general funds of said county and which shall be preferred claim against said funds to be paid monthly on the 1st day of each month on the certificate of the Sheriff that such person is such deputy. Said deputy shall be paid a salary of \$125.00 per month and shall perform any and all duties prescribed by law for such deputy sheriff. This Act shall take effect immediately upon its passage and approval."

6-20-4tc

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
MONTGOMERY COUNTY.

Before me, the undersigned authority in and for said County in said State this day personally appeared J. J. Benford, who, being by me first duly sworn, deposes and says that he is publisher of The Albertville Herald, which is and has been during the times herein mentioned, a newspaper of general circulation

published in Albertville, Marshall County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 20th day of June, 1947, the 27th day of June, 1947, the 4th day of July, 1947, and the 11th day of July, 1947, and that said publication was made without cost to the State of Alabama.

J. J. BENFORD,

Sworn to and subscribed before me this 16 day of July, 1947.

LOUISE MATTHEWS

Notary Public.

(SEAL)

By Mr. Benford (with notice and proof):

H. 655. To Alter or Re-Arrange The Boundary Lines of the Town of Arab, Marshall County, Alabama, so as to include within the Corporate Limits of said Town All Territory Now Within Such Corporate Limits and Also Certain Other Territory in Marshall County, Alabama.

Local Legislation.

Notice and proof H. 655:

NOTICE

To whom it may concern, notice is hereby given that the town of Arab, Ala., will apply for the passage of the act set out below to the 1947 session of Alabama Legislature.

AN ACT

To Alter or Re-arrange The Boundary Lines of the Town of Arab, Marshall County, Alabama, so as to include within the Corporate Limits of said Town All Territory Now Within Such Corporate Limits and Also Certain Other Territory in Marshall County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Boundary lines of the Town of Arab, Marshall County, Alabama, be, and the same are hereby altered or rearranged so as to include within the Corporate limits of said Town all territory now within such Corporate limits and also certain other territory in Marshall County, Alabama; all of which territory lying and being in Marshall County, Alabama, is more particularly described as follows:

The South East One Fourth of Section Fourteen; The East One Half of Section Twenty Three; The West One Half and the North East One Fourth of Section Twenty Four; The West One Half of Section Twenty Five; The East One Half and the North West One Fourth of Section Twenty Six; and the North East One Fourth of Section Twenty Seven; all these lands being in Township Eight South, Range One East, in Marshall County, Alabama.

Section 2. That the boundaries set out in Section One of this Act be, and the same are hereby, established as the Corporate limits of said Town of Arab, Marshall County, Alabama, and all the territory included and embraced within said boundaries shall hereafter be and constitute a part of the Town of Arab, Marshall County, Alabama.

Section 3. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor.

Passed and approved this second day of June, 1947.

Woodrow Hinds,
Mayor.

Attest:

J. K. Howard, Clerk
Town of Arab, Ala.

4c-6-25

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
MARSHALL COUNTY.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Porter Harvey, who, being by me first duly sworn, deposes and says that he is publisher of Guntersville Advertiser, which is and has been during the times herein mentioned, a newspaper of general circulation published in Guntersville, Marshall County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 4 day of June, 1947, the 11 day of June, 1947, the 18 day of June, 1947 and the 25 day of June, 1947, and that said publication was made without cost to the State of Alabama.

PORTER HARVEY,

Sworn to and subscribed before me this 12 day of July, 1947.

L. E. MOON,
Notary Public.

(SEAL)

By Mr. White (Covington):

H. 656. To amend Section 301 of Title 55 of the Code of Alabama of 1940 and to provide that State employees who are exempt from the provisions of the Merit System Act shall be subject to the penalties provided in Section 327 of Title 55 of the Code of Alabama of 1940.

Judiciary.

By Mr. Doughty (with notice and proof):

H. 657. To Authorize the Court of County commissioners of Pickens County, Alabama or other Governing Bodies of said County, to pay a salary to a Deputy Sheriff, other than and in addition to the Chief Deputy Sheriff holding appointment from the Sheriff of a said County to pay a Salary to such other Deputy Sheriff of not more than \$200.00 a month to be paid by monthly installment out of the Treasury of the County upon the Warrant of the Court of County Commissioners or the governing body of the said County.

Local Legislation.

Notice and proof H. 657:

AN ACT

ENTITLES AN ACT to authorize the Court of County Commissioners of Pickens County, Ala., or other governing bodies of said county, to pay a salary to a deputy sheriff, other than and in addition to the chief deputy sheriff holding appointment from the sheriff of a said county to pay a salary to such other deputy sheriff of not more than \$200 a month to be paid by monthly installment out of the treasury of the county upon the warrant of the Court of County Commissioners or the governing body of the said county.

BE IT ENACTED by the Legislature of the State of Alabama as follows:

Section 1. That the Court of County Commissioners or like governing bodies of Pickens County, Ala., be and the same is hereby authorized to pay a salary to a deputy sheriff, other than and in addition to the salary paid to the chief deputy sheriff of the said county, holding appointment from the sheriff of said

county as now provided by law, in an amount not exceeding \$200.00 per month to be paid out of the county treasury of said county upon the warrant of the Court of County Commissioners of said County, or like governing bodies of said county.

Section 2. That all laws or parts of laws in conflict herewith be and the same are hereby repealed. 5-29-4tc.

PROOF OF PUBLICATION

THE STATE OF ALABAMA, PICKENS COUNTY.

Before me, Thalia F. Pratt, a Notary Public in and for said County, personally appeared Jack M. Pratt Publisher of The Pickens County Herald & West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for FOUR consecutive weeks in said paper in issues dated as follows: May 29, 1947; June 5, 1947; June 12, 1947; June 19, 1947.

JACK M. PRATT,
Subscribed and sworn to before me, this the 19 day of June, 1947.

THALIA F. PRATT,
Notary Public.

(SEAL)

By Messrs. Stone, Johnston, Sullivan:

H. 658. To permit the deduction by individual income tax payers, in computing net income for income tax purposes, of certain expenses for medical care.

Ways and Means.

By Messrs. Sullivan, Johnston, Stone:

H. 659. To require the tax assessor of counties having a population of not less than 140,000 and not more than 400,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties.

Local Legislation.

By Messrs. Meeks, Leonard, Hornsby, Thompson (Crenshaw), Adams (Dale), Black, Pinkston:

H. 660. Relating to health; providing further for establishing, operating, and maintaining nursing homes, hospitals, or infirmaries for the chronically ill; and making appropriations therefor.

Health.

By Messrs. Black, McDanal:

H. 661. To amend Section 79 of Title 8 of the 1940 Code of Alabama, which fixes the penalty for taking, catching, or killing fish by poisoning water or using explosive or other substances.

Conservation.

By Mr. Adams (Jefferson):

H. 662. To require musical instruction for all pupils in all public schools in the State from the fourth through the seventh grades.

Education.

By Messrs. Gibson, Beatty, Dumas, Adams (Jefferson), Meeks (with notice and proof):

H. 663. To increase the compensation of the Judge of the Jefferson County Court of Misdemeanors; to invest said court with jurisdiction in bastardy proceedings; and to provide for the appointment and compensation of a special judge of said court at times when the regular judge is ill, disqualified or unable to serve.

Local Legislation.

Notice and proof H. 663:

A BILL
TO BE ENTITLED
AN ACT

To increase the compensation of the Judge of the Jefferson County Court of Misdemeanors; to invest said court with jurisdiction in bastardy proceedings; and to provide for the appointment and compensation of a special judge of said court at times when the regular judge thereof is ill, disqualified or unable to serve.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That in addition to the compensation now being paid to the judge of the Jefferson County Court of Misdemeanors, there shall be paid an additional salary of twelve hundred dollars per annum which shall be paid out of the general treasury of Jefferson County in equal monthly installments.

Section 2. That in addition to the jurisdiction now vested in the Jefferson County Court of Misdemeanors, said court shall have and it is hereby invested with all of the powers, authorities, and jurisdiction in bastardy proceedings as are possessed by justices of the peace.

Section 3. If the judge of the Jefferson County Court of Misdemeanors shall be unable to discharge the duties of his office by reason of illness, disqualification or inability to hold court, the Presiding Judge of the Circuit Court shall appoint a licensed attorney, resident of Jefferson County, who shall perform all of the duties of the judge of said court during such illness, disqualification or inability of the Judge. Such special judge shall receive the same compensation as the regular judge, provided, however, that if the illness, disqualification or inability to serve, of the regular judge, shall exceed thirty days during any calendar year, the compensation of the special judge for all time served by him in excess of thirty days during any calendar year shall be deducted from the salary or compensation of the regular judge.

B'ham. Record—Mar. 29; Apr. 5-12-19, 1947.

STATE OF ALABAMA.
JEFFERSON COUNTY.

Before me, the undersigned Notary Public, in and for said County, in said State, personally appeared Homer H. Meadows, who, being duly sworn, says on oath that he is Publisher of the Birmingham Record, a newspaper published in the City of Birmingham, Jefferson County, Alabama, and that a legal notice was published for 4 weeks consecutively in said newspaper, a copy of which

notice is hereto attached and made a part of this affidavit, and that the dates on which the same was published were Mar. 29, Apr. 5-12-19, 1947, and that the attached bill is a true and correct statement of the charges for publishing said notice.

Affiant further states that said Birmingham Record is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under the second class mailing privileges for 52 consecutive weeks prior to the publication of the foregoing legal advertisement.

HOMER H. MEADOWS.

Subscribed and sworn to before me, this 23 day of April, 1947.

SAMUELLE SPIVEY,

Notary Public.

(SEAL)

By Mr. Adams (Jefferson):

H. 664. To require persons engaged in pawnbroking to secure imprints of the thumbs or fingers of borrowers, providing a penalty for failure to comply with the Act, and stipulating when the Act shall become effective.

Business and Labor.

By Mr. Busby, Thompson (Crenshaw):

H. 665. Relating to professions and occupations: providing for the regulation, through licensure, of barbers, barber teaching, and the practice of barbering; creating for the administration of this Act a Board of Barber Examiners for each congressional district of the State and a supervisory State Barber Health and Education Commission; defining violations of the Act and prescribing punishment and penalties.

Public Welfare.

By Mr. Callahan:

H. 666. To Amend Section 497, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Mr. Callahan:

H. 667. TO AMEND SECTION 712, TITLE 51, ARTICLE 8, CHAPTER 20, CODE OF ALABAMA 1940, AS AMENDED BY ACT APPROVED JUNE 9, 1945.

Judiciary.

UNFINISHED BUSINESS

MOTION IN WRITING BY MR. MERRILL

Mr. Speaker, having voted with the prevailing side, I move that the House reconsider the vote by which the amendment offered by the Gentleman from Jefferson, Mr. Kaul, to subdivision (1) of sub-section IV of Section 1 of House Bill No. 51, as amended, was adopted on the last legislative day.

And the motion of Mr. Merrill was adopted.

Yeas 64; Nays 27.

Yeas:

| | | | |
|--------------|-------------------|-----------|-------------------|
| Mr. Speaker | Denton | Knight | Shelton |
| Adams (Dale) | Duffee | Larkins | Sightler |
| Barnett | Evans | Leonard | Snodgrass |
| Benford | Frasier | McClendon | Stewart |
| Bennett | Ganey | McDanal | Still |
| Black | Garrett | McIlwain | Taylor (Autauga) |
| Brannan | George | Mathison | Thomas |
| Brassell | Gillis | Meeks | Thompson |
| Busby | Hankins | Merrill | son (Crenshaw) |
| Bush | Harris | Miller | Tucker |
| Callahan | Haynes (Franklin) | Mitchell | Wallace |
| Cobb | Head | Pinkston | Weaver |
| Coburn | Hornsby | Pinson | White (Covington) |
| Cole | Howell | Roberts | White (Perry) |
| Cox | Ingalls | Rogers | Wood (Bibb) |
| Crocker | Inzer | Sellers | Wood (Washington) |
| Davis | | | |

—64

Nays:

| | | | |
|-------------------|------------------|------------|-----------------|
| Messrs.: | Faulk | McGowin | Sadler |
| Adams (Jefferson) | Gibson | Malone | Shirley |
| Beatty | Harrison | Mason | Stone |
| Broadwater | Haynes (Lowndes) | Norman | Sullivan |
| Buckner | Johnston | Ramey | Taylor (Hale) |
| Dumas | Kaul | Richardson | Thagard |
| Dyar | Lovelace | Robinson | Thompson (Pike) |

—27

On motion of Mr. Merrill the amendment offered by Mr. Kaul to the bill H. 51, as amended was laid upon the table.

Yeas 63; Nays 27.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Crocker | Inzer | Sellers |
| Adams (Dale) | Davis | Knight | Shelton |
| Adams (Jefferson) | Denton | Larkins | Snodgrass |
| Barnett | Duffee | Lovelace | Stewart |
| Benford | Evans | McClendon | Still |
| Bennett | Ganey | McDanal | Taylor (Autauga) |
| Black | Garrett | McDonald | Thagard |
| Brannan | George | McIlwain | Thomas |
| Brassell | Gillis | Mathison | Thompson |
| Busby | Hankins | Merrill | son (Crenshaw) |
| Bush | Harris | Miller | Tucker |
| Callahan | Haynes (Franklin) | Mitchell | Wallace |
| Cobb | Head | Pinkston | Weaver |
| Coburn | Hornsby | Pinson | White (Covington) |
| Cole | Howell | Roberts | White (Perry) |
| Cox | Ingalls | Rogers | Wood (Bibb) |

—63

Nays:

| | | | |
|------------|---------|----------|------------------|
| Messrs.: | Buckner | Faulk | Haynes (Lowndes) |
| Beatty | Dumas | Gibson | Johnston |
| Broadwater | Dyar | Harrison | Kaul |

| | | | |
|---------|------------|----------|-------------------|
| McGowin | Ramey | Shirley | Taylor (Hale) |
| Malone | Richardson | Sightler | Thompson (Pike) |
| Mason | Robinson | Stone | Ward |
| Norman | Sadler | Sullivan | Wood (Washington) |

—27

MOTION IN WRITING BY MR. COBURN

Mr. Speaker:

I move to reconsider the amendment offered by Mr. Sellers of Tallapoosa County pertaining to Veterans affairs on which I voted with the prevailing side.

On motion of Mr. McGowin the motion of Mr. Coburn was laid upon the table.

Yeas 47; Nays 46.

| | | | |
|-------------------|------------------|------------|------------------|
| Messrs.: | Dyar | Lovelace | Stewart |
| Adams (Jefferson) | Garrett | McClendon | Still |
| Beatty | Gibson | McGowin | Stone |
| Benford | Gillis | McIlwain | Sullivan |
| Brannan | Harris | Mason | Taylor (Autauga) |
| Brown | Harrison | Molette | Thagard |
| Busby | Haynes (Lowndes) | Norman | Thomas |
| Cox | Howell | Richardson | Thompson (Pike) |
| Crocker | Ingalls | Robinson | Tucker |
| Denton | Inzer | Sadler | Ward |
| Dobbs (Elmore) | Johnston | Sellers | White (Perry) |
| Duffee | Kaul | Shirley | Wood (Bibb) |

—47

Nays:

| | | | |
|--------------|-------------------|----------|-------------------|
| Mr. Speaker | Davis | Larkins | Ramey |
| Adams (Dale) | Doughty | Leonard | Roberts |
| Barnett | Dumas | McDanal | Rogers |
| Bennett | Evans | McDonald | Snodgrass |
| Black | Faulk | Malone | Taylor (Hale) |
| Brassell | Frasier | Mathison | Thomp- |
| Broadwater | Ganey | Meeks | son (Crenshaw) |
| Busby | George | Merrill | Wallace |
| Callahan | Hankins | Miller | Weaver |
| Cobb | Haynes (Franklin) | Mitchell | White (Covington) |
| Coburn | Head | O'Neal | Wood (Washington) |
| Cole | Knight | Pinkston | |

—46

Mr. McGowin offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MR. MCGOWIN

Amend H. 51 as amended by striking therefrom the following words and figures wherever the same appear:

| | |
|---|---------|
| (6) Department of Revenue:— For salary of the | |
| Commissioner of Revenue..... | 5,700 |
| For other salaries and expenses..... | 219,300 |

| | |
|--|---------|
| For expenses incident to Equalization Board..... | 75,000 |
| Total | 300,000 |
| and substituting therefor the following words and figures: | |
| (6) Department of Revenue::— For salary of the Commissioner of Revenue..... | 5,700 |
| For other salaries and expenses..... | 183,300 |
| For expenses incident to Equalization Board..... | 75,000 |
| Total | 264,000 |
| And the amendment offered by Mr. McGowin was adopted. | |

Yeas 92; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Evans | McDanal | Shelton |
| Adams (Dale) | Faulk | McDonald | Shirley |
| Adams (Jefferson) | Frasier | McGowin | Sightler |
| Barnett | Ganey | McIlwain | Snodgrass |
| Beatty | Garrett | Malone | Stewart |
| Benford | George | Mason | Still |
| Bennett | Gibson | Mathison | Stone |
| Black | Hankins | Meeks | Sullivan |
| Brannan | Harris | Merrill | Taylor (Autauga) |
| Brassell | Harrison | Miller | Taylor (Hale) |
| Broadwater | Haynes (Franklin) | Mitchell | Thagard |
| Brown | Haynes (Lowndes) | Molette | Thomas |
| Buckner | Head | Norman | Thompson (Crenshaw) |
| Busby | Hornsby | O'Neal | Thompson (Pike) |
| Bush | Howell | Pinkston | Tucker |
| Callahan | Ingalls | Pinson | Wallace |
| Cobb | Inzer | Ramey | Ward |
| Cox | Johnston | Richardson | Weaver |
| Crocker | Kaul | Roberts | White (Covington) |
| Davis | Knight | Robinson | White (Perry) |
| Dobbs (Elmore) | Larkins | Rogers | Wood (Bibb) |
| Duffee | Leonard | Sadler | Wood (Washington) |
| Dumas | McClendon | Sellers | |
| Dyar | | | |

—92

MOTION TO HAVE SENATE RETURN H. 70

The motion of Mr. Sullivan to direct the Clerk of the House to request the Senate to return H. 70 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same forthwith to the House for its consideration.

By Rules Committee:

S.J.R. 30. BE IT RESOLVED BY THE SENATE, the House of Representatives concurring, that when the two houses adjourn today they adjourn to meet again tomorrow, Friday, July 18, 1947, at 9 o'clock A.M.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Snodgrass the rules were suspended and the House concurred in and adopted S.J.R. 30 set out in the above and foregoing message from the Senate.

MESSAGE FROM THE GOVERNOR

To The House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 372, with suggested executive amendment.

Respectfully submitted,

O. H. Finney, Jr.,
Executive Secretary.

JULY 17, 1947

To The House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 372, without my approval.

This bill is a local bill applicable to Jefferson County, and the amendments which I will suggest herein are done with the full knowledge, consent and approval of the authors of this bill.

I suggest the following amendment to House Bill No. 372:

Amend House Bill No. 372, by striking the following: "Section 2a. A defendant whose sentence, or the unperformed or unexecuted portion thereof has been revoked in accordance with Section 2 of this Act shall have the right within five days after notice of the suspension of his said sentence or the unperformed or unexecuted portion thereof to perfect an appeal from the original judgment of conviction".

And substituting in lieu thereof the following:

"Section 2a. A defendant whose suspension of execution of sentence is revoked in accordance with Section 2 of this Act shall have the right within five days after notice of the revocation of the suspension to perfect an appeal from the original judgment of conviction."

The adoption of this amendment will remove my objection to this bill.

Respectfully,

James E. Folsom,
Governor.

July 17, 1947.

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 372, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 84; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | Leonard | Sellers |
| Adams (Dale) | Dyar | Lovelace | Shelton |
| Adams (Jefferson) | Evans | McClendon | Shirley |
| Beatty | Faulk | McDanal | Sightler |
| Benford | Ganey | McDonald | Snodgrass |
| Bennett | George | Malone | Stewart |
| Black | Gibson | Mason | Still |
| Brannan | Gillis | Mathison | Stone |
| Brassell | Hankins | Meeks | Taylor (Autauga) |
| Broadwater | Harris | Merrill | Taylor (Hale) |
| Brown | Harrison | Miller | Thagard |
| Buckner | Haynes (Franklin) | Mitchell | Thomas |
| Busby | Haynes (Lowndes) | Nelson | Thomp- |
| Bush | Head | Norman | son (Crenshaw) |
| Callahan | Hornsby | O'Neal | Thompson (Pike) |
| Cobb | Howell | Pinkston | Tucker |
| Crocker | Ingalls | Richardson | Wallace |
| Davis | Inzer | Roberts | Ward |
| Denton | Johnston | Robinson | Weaver |
| Dobbs (Elmore) | Kaul | Rogers | White (Covington) |
| Doughty | Larkins | Sadler | Wood (Bibb) |
| Duffee | | | |

—84

Which was a majority of the whole number elected to the House.

And said bill:

H. 372. Relating to sentences imposed by the Recorder's Court of Birmingham, Alabama; and, without limiting the generality of the foregoing, to provide for the suspension of execution, the execution after suspension, and the remission of, such sentences or any part thereof.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 81; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | McClendon | Shirley |
| Adams (Dale) | Dyar | McDanal | Sightler |
| Adams (Jefferson) | Evans | McDonald | Snodgrass |
| Beatty | Faulk | Malone | Stewart |
| Benford | Ganey | Mason | Still |
| Black | George | Matlison | Stone |
| Brannan | Gibson | Meeks | Sullivan |
| Brassell | Gillis | Merrill | Taylor (Autauga) |
| Broadwater | Hankins | Miller | Taylor (Hale) |
| Brown | Harris | Mitchell | Thagard |
| Buckner | Harrison | Nelson | Thomas |
| Busby | Haynes (Franklin) | O'Neal | Thomp- |
| Bush | Haynes (Lowndes) | Pinkston | son (Crenshaw) |
| Callahan | Head | Pinson | Thompson (Pike) |
| Cobb | Ingalls | Richardson | Tucker |
| Crocker | Inzer | Robinson | Wallace |
| Davis | Johnston | Rogers | Ward |
| Denton | Kaul | Sadler | Weaver |
| Dobbs (Elmore) | Larkins | Sellers | White (Covington) |
| Doughty | Leonard | Shelton | Wood (Bibb) |
| Duffee | Lovelace | | |

—81

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To The House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 269, with suggested executive amendment.

Respectfully submitted,

O. H. Finney, Jr.,
Executive Secretary.

July 17, 1947.

To The House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 269, without my approval.

This bill is a local bill applicable to Jefferson County, and the amendments which I will suggest herein are done with the full knowledge, consent and approval of the authors of this bill.

I suggest the following amendments to House Bill No. 269:

Amend House Bill No. 269 by adding the word "sum" immediately after the word "penal" where the same appears in line 3 of Section 2 of said House Bill.

Amend House Bill No. 269 by striking the word "cause" where the same appears in line 10 of Section 3 of said House Bill No. 269, and substituting in lieu thereof the word "course".

The adoption of these amendments will remove my objections to this bill.

Respectfully,

James E. Folsom,
Governor.

July 17, 1947.

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 269, said Governor's amendment being set out in the above and foregoing message from the Governor.

Yeas 85; Nays 0.

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dobbs (Elmore) | Lovelace | Sellers |
| Adams (Dale) | Doughty | McClendon | Shelton |
| Adams (Jefferson) | Duffee | McDanal | Shirley |
| Beatty | Dyar | McDonald | Snodgrass |
| Benford | Evans | Malone | Still |
| Bennett | Faulk | Mason | Stone |
| Black | Ganey | Mathison | Sullivan |
| Brannan | George | Meeks | Taylor (Autauga) |
| Brassell | Gibson | Merrill | Taylor (Hale) |
| Broadwater | Gillis | Miller | Thagard |
| Brown | Hankins | Mitchell | Thomas |
| Buckner | Harrison | Molette | Thompson (Crenshaw) |
| Busby | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Bush | Head | O'Neal | Tucker |
| Callahan | Hornsby | Pinson | Wallace |
| Cobb | Howell | Ramey | Ward |
| Coburn | Ingalls | Richardson | Weaver |
| Cole | Inzer | Roberts | White (Covington) |
| Cox | Johnston | Robinson | White (Perry) |
| Crocker | Kaul | Rogers | Wood (Bibb) |
| Davis | Larkins | Sadler | |
| Denton | Leonard | | |

—85

Which was a majority of the whole number elected to the House.

And said bill:

H. 269. To regulate the office of sheriff in counties of 400,000 population or over according to the last Federal census or any subsequent Federal census, to exempt the sheriffs of such counties from court costs; to exempt sheriffs from liability for the acts of the deputies except in certain cases; to require deputy sheriffs to

execute official bonds conditioned payable and approved as the bonds of sheriffs, and to provide for the payment of the premium on the sheriffs and deputies bonds out of the county treasury; authorizing the sheriff to employ an attorney to advise and represent him, whose compensation is to be fixed by the board of revenue or like governing body and paid out of the general fund; and providing when and where this act shall become effective.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 84; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Doughty. | McClendon | Shelton |
| Adams (Dale) | Duffee | McDanal | Shirley |
| Adams (Jefferson) | Dumas | McDonald | Sightler |
| Beatty | Dyar | Malone | Snodgrass |
| Benford | Evans | Mason | Still |
| Black | Faulk | Mathison | Stone |
| Brannan | Ganey | Meeks | Sullivan |
| Brassell | George | Merrill | Taylor (Autauga) |
| Broadwater | Gillis | Miller | Taylor (Hale) |
| Brown | Hankins | Mitchell | Thagard |
| Buckner | Harrison | Molette | Thomas |
| Busby | Haynes (Franklin) | Nelson | Thomp- |
| Bush | Head | O'Neal | son (Crenshaw) |
| Callahan | Howell | Pinson | Thompson (Pike) |
| Cobb | Ingalls | Ramey | Tucker |
| Coburn | Inzer | Richardson | Wallace |
| Cole | Johnston | Roberts | Ward |
| Cox | Kaul | Robinson | Weaver |
| Crocker | Larkins | Rogers | White (Covington) |
| Davis | Leonard | Sadler | White (Perry) |
| Denton | Lovelace | Sellers | Wood (Bibb) |
| Dobbs (Elmore) | | | |

—84

Which was a majority of the whole number elected to the House.

CONSIDERATION OF H. 51 RESUMED

And the bill, H. 51, was again taken up.

Messrs. Callahan and Shelton offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MESSRS. CALLAHAN AND SHELTON NO. 1

Amend Section 5 of House Bill No. 51 as amended as the same appears on page 7 of the Bill by striking out the figures \$8.00 dollars per week for each patient and inserting in lieu thereof \$15 dollars per week for each patient.

And the amendment was adopted.

Yeas 61; Nays 26.

Yeas:

| | | | |
|-------------------|----------------|-----------|-------------------|
| Mr. Speaker | Denton | Hornsby | Pinkston |
| Adams (Dale) | Dobbs (Elmore) | Howell | Pinson |
| Adams (Jefferson) | Doughty | Inzer | Ramey |
| Beatty | Duffee | Knight | Richardson |
| Bennett | Dumas | Larkins | Sellers |
| Black | Dyar | Leonard | Shelton |
| Brannan | Evans | McClendon | Shirley |
| Brassell | Faulk | McDanal | Stewart |
| Broadwater | Frasier | McDonald | Still |
| Buckner | Ganey | Mathison | Taylor (Autauga) |
| Bush | Garrett | Merrill | Taylor (Hale) |
| Callahan | George | Miller | Tucker |
| Cobb | Hankins | Mitchell | Wallace |
| Coburn | Harris | Molette | Weaver |
| Cole | Head | O'Neal | Wood (Washington) |
| Cox | | | |

—61

Nays:

| | | | |
|----------|-------------------|-----------|-------------------|
| Messrs.: | Haynes (Franklin) | Malone | Stone |
| Brown | Ingalls | Mason | Sullivan |
| Busby | Johnston | Norman | Thagard |
| Crocker | Kaul | Robinson | Thompson (Pike) |
| Gibson | Lovelace | Sadler | White (Covington) |
| Gillis | McGowin | Sightler | Wood (Bibb) |
| Harrison | McIlwain | Snodgrass | |

—26

Messrs. Callahan and Shelton offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MESSRS. CALLAHAN AND SHELTON. NO. 2

Amend Section 6 of House Bill 51 as amended as the same appears on page 7 of the Bill by striking out the figures \$8.00 dollars per week for each patient and inserting in lieu thereof \$15 dollars per week for each patient.

And amendment No. 2 offered by Messrs. Callahan and Shelton to the bill, H. 51, as amended, was adopted.

Yeas 60; Nays 24.

Yeas:

| | | | |
|-------------------|----------------|---------|-----------|
| Mr. Speaker | Callahan | Faulk | Knight |
| Adams (Dale) | Coburn | Frasier | Larkins |
| Adams (Jefferson) | Cole | Ganey | Leonard |
| Beatty | Cox | Garrett | McClendon |
| Bentford | Denton | George | McDanal |
| Bennett | Dobbs (Elmore) | Hankins | McDonald |
| Black | Doughty | Harris | Mathison |
| Brassell | Duffee | Head | Merrill |
| Broadwater | Dumas | Hornsby | Miller |
| Buckner | Dyar | Howell | Mitchell |
| Bush | Evans | Inzer | Molette |

| | | | |
|----------|------------|------------------|-------------------|
| O'Neal | Richardson | Stewart | Thomas |
| Pinkston | Sellers | Still | Wallace |
| Pinson | Shelton | Taylor (Autauga) | Weaver |
| Ramey | Shirley | Taylor (Hale) | Wood (Washington) |

—60

Nays:

| | | | |
|----------|------------------|----------|-------------------|
| Messrs.: | Gillis | Lovlace | Sadler |
| Brannan | Harrison | McGowin | Stone |
| Busby | Haynes (Lowndes) | Malone | Sullivan |
| Cobb | Ingalls | Mason | Thagard |
| Crocker | Johnston | Norman | Thompson (Pike) |
| Davis | Kaul | Robinson | White (Covington) |
| Gibson | | | |

—24

Mr. Malone offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MR. MALONE

Amend H. 51 as amended by striking therefrom where the same appear the following words and figures:

(11) Alabama State Planning Board:—

| | |
|---------------------------------|---------|
| For Salary of the Director..... | 5,000 |
| For other salaries..... | 55,000 |
| For other expenses..... | 50,000 |
| Total | 110,000 |

and substituting therefor the following words and figures:

(11) Alabama State Planning Board:—

| | |
|---------------------------------|---------|
| For Salary of the Director..... | 5,000 |
| For other salaries..... | 50,000 |
| For other expenses..... | 45,000 |
| Total | 100,000 |

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

| | | | |
|-------------------|----------------|-------------------|----------|
| Mr. Speaker | Cole | Gillis | McDanal |
| Adams (Dale) | Cox | Hankins | McGowin |
| Adams (Jefferson) | Crocker | Harris | McIlwain |
| Barnett | Davis | Harrison | Malone |
| Beatty | Denton | Haynes (Franklin) | Mason |
| Benford | Dobbs (Elmore) | Haynes (Lowndes) | Mathison |
| Bennett | Doughty | Head | Meeks |
| Black | Duffee | Hornsby | Merrill |
| Brannan | Dumas | Howell | Miller |
| Brassell | Dyar | Ingalls | Mitchell |
| Broadwater | Evans | Inzer | Molette |
| Brown | Faulk | Johnston | Nelson |
| Buckner | Frasier | Kaul | Norman |
| Busby | Ganey | Knight | O'Neal |
| Bush | Garrett | Larkins | Pinkston |
| Callahan | George | Leonard | Pinson |
| Cobb | Gibson | McClendon | Ramey |

| | | | |
|------------|-----------|---------------------|-------------------|
| Richardson | Shirley | Taylor (Autauga) | Tucker |
| Roberts | Sightler | Taylor (Hale) | Wallace |
| Robinson | Snodgrass | Thagard | Ward |
| Rogers | Stewart | Thomas | Weaver |
| Sadler | Still | Thompson (Crenshaw) | White (Covington) |
| Sellers | Stone | Thompson (Pike) | Wood (Bibb) |
| Shelton | Sullivan | | Wood (Washington) |

—95

Mr. Norman offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MR. NORMAN

Amend House Bill 51 as amended by striking therefrom the following words and figures where the same appear in said bill: VIII Charities, Hospitals and Corrections.

(1) Department of Corrections and Institutions:—

For the administration, operation and maintenance of the convict system and for the payment of criminal court costs. (This appropriation is in addition to other appropriations herein provided)..... 550,000
and substituting therefor the following words and figures:

VIII Charities, Hospitals and Corrections:

(1) Department of Corrections and Institutions:—

For the administration, operation and maintenance of the convict system and for the payment of criminal court costs. (This appropriation is in addition to other appropriations herein provided)..... 471,000

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|------------|
| Mr. Speaker | Crocker | Head | Mitchell |
| Adams (Dale) | Davis | Howell | Molette |
| Adams (Jefferson) | Denton | Ingalls | Nelson |
| Barnett | Dobbs (Elmore) | Inzer | Norman |
| Beatty | Doughty | Johnston | O'Neal |
| Benford | Duffee | Kaul | Pinkston |
| Bennett | Dumas | Knight | Pinson |
| Black | Dyar | Larkins | Ramey |
| Brannan | Evans | Leonard | Richardson |
| Brassell | Faulk | McClendon | Roberts |
| Broadwater | Ganey | McDanal | Robinson |
| Brown | Garrett | McDonald | Rogers |
| Buckner | George | McGowin | Sadler |
| Busby | Gibson | McIlwain | Sellers |
| Bush | Gillis | Malone | Shelton |
| Callahan | Hankins | Mason | Shirley |
| Cobb | Harris | Mathison | Sightler |
| Coburn | Harrison | Meeks | Snodgrass |
| Cole | Haynes (Franklin) | Merrill | Stewart |
| Cox | Haynes (Lowndes) | Miller | Still |

| | | | |
|------------------|----------------|-----------------|-------------------|
| Stone | Thagard | Thompson (Pike) | Weaver |
| Sullivan | Thomas | Tucker | White (Covington) |
| Taylor (Autauga) | Thomp- | Wallace | Wood (Bibb) |
| Taylor (Hale) | son (Crenshaw) | Ward | Wood (Washington) |

—95

RECESS

On motion of Mr. Brassell the House recessed until two o'clock this afternoon.

AFTERNOON SESSION

The hour of two o'clock P.M., having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Joint Resolution and sends same herewith to the House for its consideration.

By Mr. Fite:

S.J.R. 29. WHEREAS the death of the Honorable A. H. Carmichael has removed a great leader and true public servant of the State of Alabama, and

WHEREAS A. H. Carmichael's contributions to and efforts in behalf of the causes of education, public welfare, and conservation during his years in public life as a member of the Legislature of Alabama, the Congress of the United States, the State Board of Education, and the Board of Trustees of the University of Alabama have been incalculable and of lasting importance, and

WHEREAS the State has suffered a great loss in his death, therefore,

BE IT RESOLVED BY THE SENATE THE HOUSE OF REPRESENTATIVES CONCURRING:

1. The passing of A. H. Carmichael is deeply mourned by the Legislature of Alabama, and his memory revered.

2. The sympathy of the people of Alabama, through their legislative representatives, is hereby extended to the surviving children and other bereaved relatives of the deceased.

3. The Clerk of the House of Representatives is directed to forward to the family of A. H. Carmichael a copy of this resolution.

J. E. Speight,
Secretary.

SENATE MESSAGE

The above and foregoing S.J.R. 29 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 214. To provide equality and prevent inequality in the levy and collection of taxes applicable to or paid by the Banks doing business in the State of Alabama.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify you that the Senate has acceded to the request of the House to return to the House Senate Bill 241.

By Mr. Mize:

S. 241. To submit to the qualified electors of the State of Alabama at an election to be held on the First Tuesday after the expiration of three months after the final adjournment of the Regular Session of the 1947 Legislature for their consideration an amendment to the Constitution of Alabama for the purpose of levying and collecting in the City of Tuscaloosa and in the several school districts of Tuscaloosa County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes and providing for the issuance of bonds arising from the funds of said special school tax for the construction and improvement of public school buildings and acquiring sites therefor.

And said bill is herewith returned to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE GOVERNOR

To The House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 82, without his approval.

Respectfully submitted,

O. H. Finney, Jr.,
Executive Secretary
to the Governor.

June 17, 1947.

To the House of Representatives
Montgomery, Alabama

Gentlemen:

I am herewith returning to you, the body in which this bill originated, House Bill No. 82, without my approval.

This action is taken with the knowledge and consent of the author of this bill.

House Bill No. 82 is identical to Senate Bill No. 7, which was approved July 11, 1947, and Senate Bill No. 7 will serve the same purposes and accomplish the same ends as this bill.

Respectfully submitted,

James E. Folsom,
Governor.

July 17, 1947.

GOVERNOR'S MESSAGE

The question was whether the bill, H. 82, should pass, the Governor's veto to the contrary notwithstanding. The House refused to pass said bill over the veto of the Governor.

Yeas 0; Nays 58.

Nays:

| | | | |
|-------------------|-------------------|------------|------------------|
| Mr. Speaker | Denton | McClendon | Roberts |
| Adams (Jefferson) | Dumas | McDanal | Rogers |
| Beatty | Dyar | McGowin | Sellers |
| Benford | Ganey | McIlwain | Shelton |
| Brassell | Gibson | Malone | Shirley |
| Broadwater | Hankins | Mason | Snodgrass |
| Brown | Harrison | Merrill | Stone |
| Buckner | Haynes (Franklin) | Miller | Sullivan |
| Busby | Haynes (Lowndes) | Mitchell | Taylor (Autauga) |
| Callahan | Head | Nelson | Thagard |
| Cobb | Howell | Norman | Thomas |
| Coburn | Johnston | O'Neal | Tucker |
| Cole | Kaul | Ramey | Wallace |
| Cox | Larkins | Richardson | Weaver |
| Davis | Leonard | | |

—58

BILLS ON THIRD READING RESUMED

And the bill, H. 51, was again taken up.

Mr. Rogers offered the following amendment to the bill, H. 51, as amended:

By Mr. Rogers:

Amend Section 1 of House Bill No. 51, as amended, by striking therefrom Item XIII and substituting in lieu thereof the following:
"XIII. ALABAMA PUBLIC SERVICE COMMISSION

"For compensation of the President of the Commission, \$5,100.00; for compensation of two associate commissioners at

\$4,500.00 each, \$9,000.00; for salaries and other expenses, \$135,900.00; total \$150,000.00. Provided, that the appropriation to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission; but if said fees and taxes do not equal the total amount of \$150,000.00, there shall not be paid out of the General Fund of the State any amount, but the appropriation for all said salaries and expenses of the Commission and its employees in such event shall be limited to the total amount of all said fees and taxes assigned to the Commission's said appropriation. In consideration of the fact that inspection and supervision fees of utilities and transportation companies, constituting the greater part of the funds made available for the salaries and expenses of the Commission and its employees, are payable on the calendar year basis and are payable on February first of each year, the State Treasurer shall hold in the State treasury at the end of each fiscal year on September 30th as much as \$50,000, or such part of said sum of \$50,000, out of such fees and taxes assigned to this appropriation for the Commission, as may then be on hand, and the same shall be paid out by the State Treasurer as provided by law for all such salaries and expenses of the Commission and its employees during the months of October, November, December, and January. Upon the close of business at the end of each fiscal year of the State, if the balance of the amount of such fees and taxes assigned to provide such appropriation for the Commission, then on hand in the State treasury, exceeds the said sum of \$50,000, such excess shall be covered into the State treasury to the credit of the General Fund."

And the amendment was adopted.

Yeas 67; Nays 11.

Yeas:

| | | | |
|-------------------|-------------------|---------------|------------------|
| Mr. Speaker | Davis | Knight | Rogers |
| Adams (Dale) | Denton | Larkins | Sellers |
| Adams (Jefferson) | Duffee | Leonard | Shelton |
| Barnett | Dyar | McClendon | Sightler |
| Beatty | Ganey | McDanal | Snodgrass |
| Benford | George | McDonald | Stewart |
| Black | Hankins | McIlwain | Stone |
| Brassell | Harris | Merrill | Sullivan |
| Broadwater | Haynes (Franklin) | Miller | Taylor (Autauga) |
| Brown | Haynes (Lowndes) | Mitchell | Taylor (Hale) |
| Buckner | Head | Nelson | Thagard |
| Busby | Hornsby | O'Neal | Tucker |
| Bush | Howell | Pinkston | Wallace |
| Cobb | Ingalls | Pinson | Ward |
| Coburn | Inzer | Ramey | Weaver |
| Cole | Johnston | Richardson | Wood (Bibb) |
| Cox | Kaul | Roberts | |

Nays:

| | | | |
|-----------|----------|--------|-----------------|
| Messrs. : | Gillis | Malone | Robinson |
| Faulk | Harrison | Mason | Shirley |
| Gibson | McGowin | Norman | Thompson (Pike) |

—11

MOTION IN WRITING

Mr. Richardson offered the following motion in writing:

MOTION TO RECONSIDER

Having voted with the prevailing side on the vote adopting the amendment raising the appropriation for the Partlow State Schools I do move that the vote by which that amendment was adopted be reconsidered.

The motion of Mr. Shelton to table the motion offered by Mr. Richardson, was lost.

Yeas 25; Nays 56.

Yeas:

| | | | |
|--------------|---------|----------|-------------------|
| Mr. Speaker | Cole | Knight | Ramey |
| Adams (Dale) | Denton | Larkins | Shelton |
| Beatty | Evans | Leonard | Wallace |
| Black | Faulk | McDonald | Weaver |
| Brassell | Frasier | Pinkston | Whitcomb |
| Callahan | Head | Pinson | Wood (Washington) |
| Coburn | | | |

—25

Nays:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Messrs. : | George | McDanal | Rogers |
| Adams (Jefferson) | Gibson | McGowin | Sadler |
| Barnett | Gillis | McIlwain | Shirley |
| Benford | Hankins | Mason | Sightler |
| Brown | Harris | Meeks | Snodgrass |
| Buckner | Harrison | Merrill | Stewart |
| Busby | Haynes (Franklin) | Miller | Stone |
| Bush | Haynes (Lowndes) | Mitchell | Sullivan |
| Cobb | Ingalls | Molette | Thagard |
| Cox | Inzer | Nelson | Thompson (Pike) |
| Crocker | Johnston | Norman | Tucker |
| Davis | Kaul | Richardson | Ward |
| Dumas | Lovell | Roberts | White (Covington) |
| Dyar | McClendon | Robinson | Wood (Bibb) |
| Ganey | | | |

—56

And Mr. Richardson's motion was adopted.

Yeas 61; Nays 26.

Yeas:

| | | | |
|-------------------|---------|---------|---------|
| Messrs. : | Buckner | Crocker | George |
| Adams (Jefferson) | Busby | Davis | Gibson |
| Barnett | Bush | Dumas | Givhan |
| Broadwater | Cobb | Dyar | Hankins |
| Brown | Coburn | Ganey | Harris |

| | | | |
|-------------------|----------|------------|-------------------|
| Harrison | McGowin | Richardson | Sullivan |
| Haynes (Franklin) | McIlwain | Roberts | Taylor (Autauga) |
| Haynes (Lowndes) | Mason | Robinson | Thagard |
| Howell | Meeks | Rogers | Thompson (Pike) |
| Ingalls | Merrill | Sadler | Tucker |
| Inzer | Miller | Shirley | Ward |
| Johnston | Mitchell | Sightler | Whitcomb |
| Kaul | Molette | Snodgrass | White (Covington) |
| Lovell | Nelson | Stewart | Wood (Bibb) |
| McClendon | Norman | Stone | Wood (Washington) |
| McDanal | O'Neal | | |

—61

Nays:

| | | | |
|--------------|--------|----------|---------------|
| Mr. Speaker | Cole | Knight | Pinson |
| Adams (Dale) | Cox | Larkins | Ramey |
| Beatty | Denton | Leonard | Shelton |
| Benford | Evans | McDonald | Taylor (Hale) |
| Black | Faulk | Malone | Wallace |
| Brassell | Gillis | Pinkston | Weaver |
| Callahan | Head | | |

—26

And the motion of Mr. Johnston to table the amendment No. 1 offered by Messrs. Shelton and Callahan (relating to Partlow State Schools) to the bill, H. 51, was adopted.

Yeas 57; Nays 25.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Messrs.: | Gillis | Mason | Shirley |
| Adams (Jefferson) | Hankins | Meeks | Sightler |
| Barnett | Harris | Merrill | Snodgrass |
| Benford | Harrison | Miller | Stewart |
| Brown | Haynes (Franklin) | Mitchell | Still |
| Busby | Haynes (Lowndes) | Molette | Stone |
| Bush | Howell | Nelson | Sullivan |
| Cobb | Ingalls | Norman | Taylor (Hale) |
| Crocker | Johnston | O'Neal | Thagard |
| Davis | Kaul | Richardson | Thompson (Pike) |
| Duffee | Lovell | Roberts | Tucker |
| Dumas | McClendon | Robinson | Ward |
| Dyar | McDanal | Rogers | White (Covington) |
| George | McGowin | Sadler | Wood (Bibb) |
| Gibson | McIlwain | | |

—57

Nays:

| | | | |
|--------------|---------|----------|-------------------|
| Mr. Speaker | Cole | Knight | Ramey |
| Adams (Dale) | Denton | Larkins | Shelton |
| Beatty | Evans | Leonard | Wallace |
| Black | Faulk | McDonald | Weaver |
| Brassell | Frasier | Pinkston | Whitcomb |
| Callahan | Head | Pinson | Wood (Washington) |
| Coburn | | | |

—25

Messrs. Shelton and Callahan offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MESSRS. CALLAHAN AND
SHELTON NO. 3

Amend Section 5 of House Bill 51 as amended as the same appears on page 7 of the said bill by striking out the figures \$8.00 dollars per week for each patient and inserting in lieu thereof \$12 dollars per week for each patient.

On motion of Mr. Stone the amendment No. 3 offered by Messrs. Shelton and Callahan, was laid upon the table.

Yeas 46; Nays 40.

| | | | |
|----------|-------------------|------------|-------------------|
| Messrs.: | Harris | Meeks | Sightler |
| Brown | Harrison | Merrill | Snodgrass |
| Buckner | Haynes (Franklin) | Miller | Stewart |
| Busby | Haynes (Lowndes) | Molette | Stone |
| Cobb | Ingalls | Nelson | Sullivan |
| Davis | Johnston | Nerman | Thagard |
| Dumas | Kaul | O'Neal | Thompson (Pike) |
| Dyar | Lovelace | Richardson | Tucker |
| George | McDanal | Roberts | Ward |
| Gibson | McGowin | Robinson | White (Covington) |
| Gillis | McIlwain | Sadler | Wood (Bibb) |
| Hankins | Mason | Shirley | |

—46

Nays:

| | | | |
|-------------------|---------|-----------|-------------------|
| Mr. Speaker | Coburn | Howell | Pinson |
| Adams (Dale) | Cole | Inzer | Ramey |
| Adams (Jefferson) | Cox | Knight | Shelton |
| Beatty | Denton | Larkins | Still |
| Benford | Duffee | Leonard | Taylor (Autauga) |
| Black | Faulk | McClendon | Taylor (Hale) |
| Brassell | Frasier | McDonald | Wallace |
| Broadwater | Ganey | Malone | Weaver |
| Bush | Head | Mitchell | Whitcomb |
| Callahan | Hornsby | Pinkston | Wood (Washington) |

—40

Messrs. Callahan and Shelton offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MESSRS. CALLAHAN AND
SHELTON, NO. 4

Amend Section 5 of House Bill No. 51 as amended as the same appears on page 7 of the Bill by striking out the figures \$8.00 dollars per week for each patient and inserting in lieu thereof \$10 dollars per week for each patient.

And the omendment No. 4 offered by Messrs. Callahan and Shelton was adopted.

Yeas 87; Nays 3.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | Leonard | Sadler |
| Adams (Dale) | Dyar | Lovelace | Sellers |
| Adams (Jefferson) | Faulk | McClendon | Shelton |
| Barnett | Frasier | McDanal | Shirley |
| Beatty | Ganey | McDonald | Sightler |
| Benford | George | McIlwain | Snodgrass |
| Black | Gibson | Malone | Stewart |
| Brassell | Gillis | Mason | Still |
| Broadwater | Hankins | Meeks | Stone |
| Brower | Harris | Merrill | Sullivan |
| Buckner | Harrison | Miller | Taylor (Autauga) |
| Bushy | Haynes (Franklin) | Mitchell | Taylor (Hale) |
| Bush | Haynes (Lowndes) | Molette | Thompson (Pike) |
| Callahan | Head | Nelson | Tucker |
| Cobb | Hornsby | Norman | Wallace |
| Coburn | Howell | O'Neal | Ward |
| Cole | Ingalls | Pinkston | Weaver |
| Cox | Inzer | Pinson | Whitcomb |
| Crocker | Johnston | Ramey | White (Covington) |
| Davis | Kaul | Richardson | Wood (Bibb) |
| Denton | Knight | Roberts | Wood (Washington) |
| Duffee | Larkins | Rogers | |

—87

Nays: Messrs.: McGowin, Robinson, Thagard.

—3

MOTION IN WRITING

Mr. Richardson offered the following motion in writing:

MOTION TO RECONSIDER

Having voted with the prevailing side on the amendment to H. 51 raising the appropriation to the Alabama Insane Hospitals, Sec. (5) of said bill, I do hereby move the reconsideration of the vote by which the said amendment was adopted.

The motion of Mr. Shelton to table the motion of Mr. Richardson, was lost.

Yeas 14; Nays 68.

Yeas:

| | | | |
|--------------|--------|---------|---------|
| Messrs.: | Coburn | Knight | Ramey |
| Adams (Dale) | Cole | Larkins | Shelton |
| Brassell | Denton | Leonard | Weaver |
| Callahan | Faulk | Molette | |

—14

Nays:

| | | | |
|-------------------|---------|---------|----------|
| Mr. Speaker | Brown | Crocker | George |
| Adams (Jefferson) | Buckner | Davis | Gibson |
| Beatty | Busby | Duffee | Gillis |
| Benford | Bush | Dumas | Hankins |
| Black | Cobb | Dyar | Harris |
| Broadwater | Cox | Ganey | Harrison |

| | | | |
|-------------------|----------|------------|-------------------|
| Haynes (Franklin) | McGowin | Richardson | Sullivan |
| Head | McIlwain | Roberts | Taylor (Autauga) |
| Hornsby | Malone | Robinson | Taylor (Hale) |
| Ingalls | Meeks | Rogers | Thagard |
| Inzer | Merrill | Sadler | Thompson (Pike) |
| Johnston | Miller | Shirley | Tucker |
| Kaul | Mitchell | Sightler | Ward |
| Lovelace | Nelson | Snodgrass | Whitcomb |
| McClendon | Norman | Stewart | White (Covington) |
| McDanal | O'Neal | Still | Wood (Bibb) |
| McDonald | Pinson | Stone | Wood (Washington) |

—68

And Mr. Richardson's motion was adopted.

Yeas 60; Nays 18.

Yeas:

| | | | |
|-------------|-------------------|------------|-------------------|
| Mr. Speaker | Gibson | Malone | Shirley |
| Beatty | Hankins | Meeks | Sightler |
| Benford | Harris | Merrill | Snodgrass |
| Brassell | Harrison | Miller | Stewart |
| Broadwater | Haynes (Franklin) | Mitchell | Stone |
| Brown | Ingalls | Molette | Sullivan |
| Buckner | Inzer | Nelson | Taylor (Autauga) |
| Busby | Johnston | Norman | Taylor (Hale) |
| Bush | Kaul | O'Neal | Thagard |
| Cobb | Lovelace | Pinson | Thompson (Pike) |
| Crocker | McClendon | Richardson | Tucker |
| Duffee | McDanal | Roberts | Ward |
| Dumas | McDonald | Robinson | White (Covington) |
| Dyar | McGowin | Rogers | Wood (Bibb) |
| Ganey | McIlwain | Sadler | Wood (Washington) |

—60

Nays:

| | | | |
|--------------|--------|----------|---------|
| Messrs.: | Cole | Howell | Ramey |
| Adams (Dale) | Cox | Knight | Shelton |
| Black | Denton | Larkins | Wallace |
| Callahan | Gillis | Leonard | Weaver |
| Coburn | Head | Pinkston | |

—18

And the motion of Mr. Johnston to table the amendment No. 2 offered by Messrs. Callahan and Shelton, (relating to Alabama Insane Hospitals) was adopted.

Messrs. Callahan and Shelton offered the following amendment to the bill, H. 51, as amended:

AMENDMENT TO HOUSE BILL 51 BY MESSRS. CALLAHAN AND SHELTON, NO. 5

Amend Section 6 of House Bill 51 as amended as the same appears on page 7 of the Bill by striking out the figures \$8.00 dollars per week for each patient and inserting in lieu thereof \$10 per week for each patient.

And the amendment No. 5 offered by Messrs. Callahan and Shelton, was adopted.

Yeas 87; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | McClendon | Sellers |
| Adams (Dale) | Faulk | McDanal | Shelton |
| Adams (Jefferson) | Frasier | McDonald | Shirley |
| Beatty | Ganey | McGowin | Sightler |
| Benford | George | McIlwain | Snodgrass |
| Black | Gibson | Malone | Stewart |
| Brassell | Gillis | Mason | Still |
| Broadwater | Hankins | Meeks | Stone |
| Brown | Harris | Merrill | Sullivan |
| Buckner | Harrison | Miller | Taylor (Autauga) |
| Busby | Haynes (Franklin) | Mitchell | Taylor (Hale) |
| Bush | Haynes (Lowndes) | Molette | Thagard |
| Callahan | Head | Nelson | Thompson (Pike) |
| Cobb | Hornsby | O'Neal | Tucker |
| Coburn | Howell | Pinkston | Wallace |
| Cole | Ingalls | Pinson | Ward |
| Cox | Inzer | Ramey | Weaver |
| Crocker | Johnston | Richardson | Whitcomb |
| Davis | Kaul | Roberts | White (Covington) |
| Denton | Knight | Robinson | Wood (Bibb) |
| Duffee | Larkins | Rogers | Wood (Washington) |
| Dumas | Leonard | Sadler | —87 |

And the bill, H. 51, as amended, was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Leonard | Sadler |
| Adams (Dale) | Dumas | Lovelace | Sellers |
| Adams (Jefferson) | Dyar | McClendon | Shelton |
| Barnett | Faulk | McDanal | Shirley |
| Beatty | Ganey | McDonald | Sightler |
| Benford | George | McGowin | Snodgrass |
| Bennett | Gibson | McIlwain | Stewart |
| Black | Gillis | Malone | Still |
| Brassell | Hankins | Mason | Stone |
| Broadwater | Harris | Meeks | Sullivan |
| Brown | Harrison | Merrill | Taylor (Hale) |
| Buckner | Haynes (Franklin) | Miller | Thagard |
| Busby | Haynes (Lowndes) | Mitchell | Thompson (Pike) |
| Bush | Head | Nelson | Tucker |
| Callahan | Hornsby | Norman | Wallace |
| Cobb | Howell | O'Neal | Ward |
| Coburn | Ingalls | Pinkston | Weaver |
| Cole | Inzer | Pinson | Whitcomb |
| Cox | Johnston | Ramey | White (Covington) |
| Crocker | Kaul | Richardson | Wood (Bibb) |
| Davis | Knight | Roberts | Wood (Washington) |
| Denton | Larkins | Robinson | —87 |

The motion of Mr. Snodgrass to table his motion to reconsider the vote by which the bill, H. 51, was passed, was adopted.

And the bill:

(With amendment):

H. 79. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1948, and September 30, 1949, including all schools, agencies, services, and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama.

Was taken up.

On motion of Mr. McGowin the amendment reported by the Standing Committee on Ways and Means was divided into five amendments.

The question was on the adoption of Amendment No. 1 reported by the Standing Committee on Ways and Means, said Amendment No. 1 being as follows:

AMENDMENT TO HOUSE BILL 79 BY WAYS AND MEANS NO. 1

Amend House Bill 79 as follows:

By striking the figure "\$1,150,000.00" in Section Five thereof and inserting in lieu the figure "\$1,650,000.00", and

By striking the figure \$1,000,000.00 in Section Seven thereof and inserting in lieu the figure "\$1,500,000.00."

And Amendment No. 1 was adopted.

Yeas 76; Nays 5.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Duffee | Knight | Shelton |
| Adams (Dale) | Dumas | Larkins | Sightler |
| Adams (Jefferson) | Dyar | Leonard | Snodgrass |
| Barnett | Frasier | McClendon | Stewart |
| Beatty | Ganey | McDanal | Still |
| Benford | Garrett | McDonald | Sullivan |
| Bennett | George | Merrill | Taylor (Autauga) |
| Brannan | Hankins | Miller | Taylor (Hale) |
| Brassell | Harris | Mitchell | Thagard |
| Broadwater | Harrison | Molette | Thomas |
| Brown | Haynes (Franklin) | Nelson | Thompson (Crenshaw) |
| Buckner | Haynes (Lowndes) | O'Neal | Tucker |
| Busby | Head | Pinson | Wallace |
| Busby | Hornsby | Ramey | Ward |
| Callahan | Howell | Richardson | Weaver |
| Cobb | Ingalls | Roberts | Whitcomb |
| Cox | Inzer | Robinson | White (Covington) |
| Crocker | Johnston | Rogers | Wood (Washington) |
| Davis | Kaul | Sellers | |
| Denton | | | |

—76

Nays: Messrs.: McIlwain, Malone, Norman, Shirley, Stone.

—5

The question was upon the adoption of Amendment No. 2 reported by the Standing Committee on Ways and Means, said Amendment No. 2 being as follows:

AMENDMENT TO HOUSE BILL 79 AS AMENDED BY WAYS AND MEANS NO. 2

Amend House Bill 79 as amended as follows:

Amend Section 12, subsection c-1, of House Bill No. 79 as amended by striking out after the words "Vocational Education" the figures "\$1,253,000" and substituting therefor the figures "1,753,000."

And the amendment No. 2 was adopted.

Yeas 81; Nays 2.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | McClendon | Snodgrass |
| Adams (Dale) | Dumas | McDanal | Stewart |
| Adams (Jefferson) | Dyar | McDonald | Still |
| Barnett | Frasier | McIlwain | Stone |
| Beatty | Ganey | Malone | Sullivan |
| Benford | Garrett | Mason | Taylor (Autauga) |
| Bennett | George | Merrill | Taylor (Hale) |
| Black | Hankins | Miller | Thagard |
| Brannan | Harris | Mitchell | Thomas |
| Brassell | Harrison | Nelson | Thompson |
| Broadwater | Haynes (Franklin) | O'Neal | son (Crenshaw) |
| Brown | Haynes (Lowndes) | Pinson | Thompson (Pike) |
| Buckner | Head | Ramey | Tucker |
| Busby | Howell | Richardson | Wallace |
| Bush | Ingalls | Roberts | Ward |
| Callahan | Inzer | Robinson | Weaver |
| Cobb | Johnston | Rogers | Whitcomb |
| Cox | Kaul | Sellers | White (Covington) |
| Crocker | Knight | Shelton | Wood (Bibb) |
| Davis | Larkins | Sightler | Wood (Washington) |
| Denton | Leonard | | |

—81

Nays: Messrs.: Gillis and Norman.

—2

The question was upon the adoption of Amendment No. 3 reported by the Standing Committee on Ways and Means, said Amendment No. 3 being as follows:

WAYS AND MEANS COMMITTEE AMENDMENT TO HB 79, NO. 3

Amend H. 79 as amended by striking out all of page 4 thereof and inserting in lieu thereof the following:

-4-

in securing for expenditure in Alabama the full amounts of federal funds appropriated conditionally to Alabama by the Congress of the United States, under the Act approved May 8, 1914, and generally known as the Smith-Lever Act for Extension Work in Agri-

culture and Home Economics, and other supplementary and related Acts for Extension Work in Agriculture and Home Economics, there is hereby appropriated to the Alabama Polytechnic Institute out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, the sum of \$300,000.00. (b) That the funds appropriated under (a) in this section shall be expended under the general direction of the Board of Trustees of the Alabama Polytechnic Institute, through its Extension Service, for paying any and all bills and other items carrying out the aims and purposes of this section and in such manner as to aid in securing for Extension Work in Alabama in any year the maximum amounts of all federal funds conditionally appropriated for that year by an Act of Congress of the United States approved May 8, 1914, and generally known as the Smith-Lever Act for Extension Work in Agriculture and Home Economics, and other federal acts supplementary and related thereto. (c) That for each of the fiscal years ending September 30, 1948, and September 30, 1949, there is hereby appropriated out of the funds in the State Treasury the sum of \$75,000.00 for use by the Extension Service of the Alabama Polytechnic Institute for the following uses and purposes: (1) For the payment of salaries for marketing specialists, \$36,000.000; 2) For the payment of traveling expenses for marketing specialists \$11,300.00; 3) For the payment of clerks and stenographers, \$10,800.00; 4) For other expenses, \$16,900.00.

Section 9. ALABAMA POLYTECHNIC INSTITUTE FOR AGRICULTURAL RESEARCH. (a) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Alabama Agricultural Experiment Station of the Alabama Polytechnic Institute for the support of the work of the main station at Auburn, and for cooperative experiments with farmers, the sum of \$100,000.00. (b) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Tennessee Valley Branch Station located at Bell Mina in Limestone County, the sum of \$7,500.00. (c) That there is hereby appropriated out of the State Treasury for each of

And the Amendment No. 3 to the bill, H. 79, reported by the Standing Committee on Ways and Means was adopted.

Yeas 84; Nays 0.

Yeas:

| | | | |
|-------------------|------------|----------|---------|
| Mr. Speaker | Black | Bush | Duffee |
| Adams (Dale) | Brannan | Callahan | Dumas |
| Adams (Jefferson) | Brassell | Cobb | Dyar |
| Barnett | Broadwater | Coburn | Faulk |
| Beatty | Brown | Cox | Frasier |
| Benford | Buckner | Davis | Ganey |
| Bennett | Busby | Denton | Garrett |

| | | | |
|-------------------|-----------|------------------|-------------------|
| George | Loveland | Pinkston | Taylor (Hale) |
| Gibson | McClendon | Pinson | Thagard |
| Gillis | McDonald | Ramey | Thomas |
| Hankins | McGowin | Richardson | Thompson |
| Harris | McIlwain | Roberts | son (Crenshaw) |
| Harrison | Malone | Robinson | Thompson (Pike) |
| Haynes (Franklin) | Mason | Sadler | Tucker |
| Head | Meeks | Sellers | Wallace |
| Howell | Merrill | Shelton | Ward |
| Ingalls | Miller | Shirley | Weaver |
| Inzer | Mitchell | Sightler | Whitcomb |
| Johnston | Molette | Snodgrass | White (Covington) |
| Kaul | Norman | Still | Wood (Bibb) |
| Larkins | O'Neal | Taylor (Autauga) | Wood (Washington) |
| Leonard | | | |

—84

The question was upon the adoption of the Amendment No. 4 to the bill, H. 79, reported by the Standing Committee on Ways and Means, said Amendment No. 4 being as follows:

WAYS AND MEANS COMMITTEE AMENDMENT, NO. 4

Amend House Bill 79 by deleting therefrom Section 2 and inserting in lieu thereof the following:

"Section 2. MINIMUM PROGRAM FUND. (a) That in addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State Board of Education out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, the sum of \$38,000,000.00, conditional upon the ratification of the Income Tax Amendment which is to be submitted on August 26, 1947, to be known as the Minimum Program Fund, which, in accordance with the statutes and regulations of the State Board of Education relating to the expenditures of such fund, shall be used for providing a minimum term of nine months and for the equalization of educational opportunity in the public schools of the State; and, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for time actually taught if, in the judgment of the State Superintendent of Education and the State Board of Education, unusual conditions beyond the control of the local board of education in any school are such as to prevent the efficient operation of that school for the required nine months' minimum term: provided further that of the amount herein appropriated for the Minimum Program Fund not less than the sum of \$31,000,000.00, which shall include all monies earmarked for public school teachers salaries as provided in the Income Tax Amendment to be submitted on August 26, 1947, shall be expended only for the payment of teachers salaries for the fiscal year ending September 30, 1948, and not less than the sum of \$32,000,000.00, which shall

include all monies earmarked for public school teachers salaries as provided in the Income Tax Amendment to be submitted on August 26, 1947, shall be expended only for payment of teachers salaries for the fiscal year ending September 30, 1949. Provided further, that an amount equal to but not in excess of \$325,000.00 per annum, or as much thereof as may be necessary of this appropriation, be used by the State Board of Education to provide sick leave payments to teachers in the public elementary and high schools. The Minimum Program Fund shall also include any other appropriations or funds which may be designated by the Legislature as a part of the Minimum Program Fund. (b) That in addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State Board of Education out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, the sum of \$31,500,000.00, provided the Income Tax Amendment which is to be submitted on August 26, 1947 is not ratified, to be known as the Minimum Program Fund, which, in accordance with the statutes and regulations of the State Board of Education relating to the expenditures of such fund, shall be used for providing a minimum term of nine months and for the equalization of educational opportunity in the public schools of the State; and, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for time actually taught if, in the judgment of the State Superintendent of Education and the State Board of Education, unusual conditions beyond the control of the local board of education in any school are such as to prevent the efficient operation of that school for the required nine months' minimum term provided further that of the amount herein appropriated for the Minimum Program Fund not less than the sum of \$24,500,000.00 shall be expended only for the payment of teachers salaries for the fiscal year ending September 30, 1948, and not less than the sum of \$25,500,000.00 shall be expended only for payment of teachers salaries for the fiscal year ending September 30, 1949. Provided further, that an amount equal to but not in excess of \$325,000.00 per annum, or as much thereof as may be necessary of this appropriation, be used by the State Board of Education to provide sick leave payments to teachers in the public elementary and high schools. The Minimum Program Fund shall also include any other appropriations for funds which may be designated by the Legislature as a part of the Minimum Program Fund."

And the Amendment No. 4 was adopted.

Yeas 83; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Larkins | Sellers |
| Adams (Dale) | Dumas | Leonard | Shelton |
| Adams (Jefferson) | Dyar | Lovelace | Shirley |
| Barnett | Faulk | McClendon | Sightler |
| Beatty | Frasier | McDanal | Snodgrass |
| Benford | Ganey | McDonald | Still |
| Bennett | Garrett | McGowin | Taylor (Autauga) |
| Black | George | McIlwain | Taylor (Hale) |
| Brannan | Gibson | Mason | Thagard |
| Brassell | Gillis | Meeks | Thomas |
| Broadwater | Hankins | Merrill | Thomp- |
| Brown | Harris | Miller | son (Crenshaw) |
| Buckner | Harrison | Mitchell | Thompson (Pike) |
| Busby | Haynes (Franklin) | Molette | Tucker |
| Callahan | Head | Nelson | Wallace |
| Cobb | Hornsby | O'Neal | Ward |
| Coburn | Howell | Pinkston | Weaver |
| Cox | Ingalls | Ramey | Whitcomb |
| Crocker | Inzer | Richardson | White (Covington) |
| Davis | Johnston | Roberts | Wood (Bibb) |
| Denton | Kaul | Robinson | Wood (Washington) |

—83

The question was upon the adoption of Amendment No. 5 reported by the Standing Committee on Ways and Means, said Amendment No. 5 being as follows:

AMENDMENT TO HOUSE BILL 79 AS AMENDED BY WAYS AND MEANS NO. 5

Amend House Bill No. 79 as amended by striking therefrom Section No. 9 and substituting therefor the following:

Section 9. ALABAMA POLYTECHNIC INSTITUTE FOR AGRICULTURAL RESEARCH. (a) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Alabama Agricultural Experiment Station of the Alabama Polytechnic Institute for the support of the work of the main station at Auburn, and for cooperative experiments with farmers, the sum of \$200,000.00. (b) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Tennessee Valley Branch Station located at Bell Mina in Limestone County, the sum of \$12,500.00. (c) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Sand Mountain Branch Station located at Crossville in DeKalb County, the sum of \$12,500.00. (d) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Black Belt Branch Station located at Marion Junction in

Dallas County, the sum of \$14,900.00. (e) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Wiregrass Branch Station located at Headland in Henry County, the sum of \$12,500.00. (f) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Gulf Coast Branch Station located at Fairhope in Baldwin County, the sum of \$14,900.00. (g) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Piedmont Experimental Branch Station, the sum of \$14,900.00. (h) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Upper Coastal Plains Branch Station, the sum of \$14,900.00. (i) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, for the support of researches and experiments on experiment fields, the sum of \$24,000.00. (j) That there is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1948, and September 30, 1949, to the Alabama Polytechnic Institute the sum of \$10,000.00 to be used for maintenance and operation of the Central Artificial Insemination Unit. (k) That all research work and experiment contemplated by the spirit and purpose of this section shall be carried out under the supervision of the Director of the Agricultural Experiment Station and the President of the Alabama Polytechnic Institute, who shall make a complete report to the Board of Trustees of the Alabama Polytechnic Institute for each of the fiscal years ending September 30, 1948, and September 30, 1949. (l) That the funds provided in this section shall be used for the support of researches, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production, marketing, and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants; for the establishment, care, use, and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaptation and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut, and vegetable crops for the study of plant and animal disease, and insect pests; for researches and experiments dealing with forest production, management, and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion; for researches to discover new uses of lands; for the provisions of

necessary land, buildings, fencing, livestock, and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand; for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable, and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

The motion of Mr. McGowin to table the above and foregoing Amendment No. 5 was lost.

Yeas 6; Nays 79.

Yeas: Messrs.: Brannan, Cox, Gibson, Kaul, McGowin, Norman.

—6

Nays:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Faulk | McDanal | Sellers |
| Adams (Dale) | Frasier | McDonald | Shirley |
| Beatty | Ganey | McIlwain | Sightler |
| Benford | Garrett | Malone | Stewart |
| Bennett | George | Mason | Still |
| Black | Gillis | Meeks | Sullivan |
| Brassell | Hankins | Merrill | Taylor (Autauga) |
| Broadwater | Harris | Miller | Taylor (Hale) |
| Brown | Harrison | Mitchell | Thagard |
| Busby | Haynes (Franklin) | Molette | Thomas |
| Busby | Haynes (Lowndes) | Nelson | Thompson (Pike) |
| Callahan | Head | O'Neal | Tucker |
| Cobb | Howell | Pinkston | Wallace |
| Coburn | Ingalls | Pinson | Ward |
| Crocker | Inzer | Ramey | Weaver |
| Davis | Johnston | Richardson | Whitcomb |
| Denton | Knight | Roberts | White (Covington) |
| Duffee | Larkins | Robinson | Wood (Bibb) |
| Dumas | Lovelace | Rogers | Wood (Washington) |
| Dyar | McClendon | Sadler | |

—79

And the Amendment No. 5 was adopted.

Yeas 88; Nays 0.

Yeas:

| | | | |
|-------------------|------------|---------|---------|
| Mr. Speaker | Brassell | Coburn | Faulk |
| Adams (Dale) | Broadwater | Cox | Frasier |
| Adams (Jefferson) | Brown | Crocker | Ganey |
| Barnett | Buckner | Davis | Garrett |
| Beatty | Busby | Denton | George |
| Benford | Busby | Duffee | Gibson |
| Bennett | Callahan | Dumas | Hankins |
| Brannan | Cobb | Dyar | Harris |

| | | | |
|-------------------|----------|------------|-------------------|
| Harrison | McDanal | Pinson | Sullivan |
| Haynes (Franklin) | McDonald | Ramey | Taylor (Autauga) |
| Haynes (Lowndes) | McGowin | Richardson | Taylor (Hale) |
| Head | McIlwain | Roberts | Thagard |
| Howell | Malone | Robinson | Thomas |
| Ingalls | Mason | Rogers | Thompson (Pike) |
| Inzer | Meeks | Sadler | Tucker |
| Johnston | Merrill | Sellers | Wallace |
| Kaul | Miller | Shelton | Ward |
| Knight | Mitchell | Shirley | Weaver |
| Larkins | Molette | Sightler | Whitcomb |
| Leonard | Nelson | Snodgrass | White (Covington) |
| Lovelace | O'Neal | Stewart | Wood (Bibb) |
| McClendon | Pinkston | Still | Wood (Washington) |

—88

Mr. Harris offered the following amendment to the bill, H. 79, as amended:

AMENDMENT TO HOUSE BILL NO. 79 BY MR. HARRIS

Amend Section 12, subsection c-3, of House Bill No. 79 as amended by striking out after the words "Civilian Rehabilitation" the figures "\$105,000" and substituting therefor the figures "\$200,000."

And the amendment offered by Mr. Harris was adopted.

Yeas 87; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | McClendon | Shelton |
| Adams (Dale) | Faulk | McDanal | Shirley |
| Adams (Jefferson) | Frasier | McDonald | Sightler |
| Barnett | Ganey | McIlwain | Snodgrass |
| Beatty | George | Malone | Stewart |
| Benford | Gibson | Mason | Still |
| Black | Gillis | Meeks | Stone |
| Brannan | Hankins | Merrill | Sullivan |
| Brassell | Harris | Miller | Taylor (Autauga) |
| Broadwater | Harrison | Mitchell | Taylor (Hale) |
| Brown | Haynes (Franklin) | Molette | Thagard |
| Buckner | Haynes (Lowndes) | Nelson | Thomas |
| Busby | Head | O'Neal | Thompson |
| Bush | Hornsby | Pinkston | son (Crenshaw) |
| Callahan | Howell | Pinson | Thompson (Pike) |
| Cobb | Ingalls | Ramey | Tucker |
| Coburn | Inzer | Richardson | Wallace |
| Crocker | Johnston | Roberts | Ward |
| Davis | Kaul | Robinson | Weaver |
| Denton | Larkins | Rogers | Whitcomb |
| Duffee | Leonard | Sadler | White (Covington) |
| Dumas | Lovelace | Sellers | Wood (Bibb) |

—87

Mr. Head offered the following amendment to the bill, H. 79, as amended:

AMENDMENT TO H. NO. 79 BY MR. HEAD

Amend Section 4 of House Bill No. 79 as amended by substituting for the figures "\$400,000.00" the figures "\$450,000.00."

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Dumas | Leonard | Sellers |
| Adams (Dale) | Dyar | McClendon | Shelton |
| Adams (Jefferson) | Faulk | McDanal | Shirley |
| Barnett | Ganey | McDonald | Stewart |
| Beatty | Garrett | McIlwain | Still |
| Benford | George | Maione | Stone |
| Black | Gibson | Mason | Taylor (Autauga) |
| Brannan | Gillis | Meeks | Taylor (Hale) |
| Brassell | Hankins | Merrill | Thomas |
| Brown | Harris | Miller | Thompson |
| Buckner | Harrison | Mitchell | son (Crenshaw) |
| Busby | Haynes (Franklin) | Molette | Thompson (Pike) |
| Bush | Haynes (Lowndes) | Nelson | Tucker |
| Callahan | Head | Pinkston | Wallace |
| Cobb | Howell | Pinson | Ward |
| Cox | Ingalls | Ramey | Weaver |
| Crocker | Inzer | Roberts | White (Covington) |
| Davis | Kaul | Robinson | Wood (Bibb) |
| Denton | Larkins | Rogers | Wood (Washington) |
| Duffee | | | |

—76

Mr. Davis offered the following amendment to the bill, H. 79, as amended:

AMENDMENT TO H. NO. 79 BY MR. DAVIS

Amend Section 12, subsection f, of House Bill No. 79 as amended by striking out after the words "for Agricultural and Mechanical Institute at Normal" the figures "\$170,000" and substituting therefor the figures "\$225,000."

And the amendment was adopted.

Yeas 56; Nays 5.

Yeas:

| | | | |
|-------------------|---------|-------------------|------------|
| Mr. Speaker | Cox | Harris | Meeks |
| Adams (Dale) | Crocker | Harrison | Merrill |
| Adams (Jefferson) | Davis | Haynes (Franklin) | Miller |
| Barnett | Denton | Head | Mitchell |
| Beatty | Duffee | Hornsby | Molette |
| Brassell | Dyar | Howell | O'Neal |
| Broadwater | Frasier | Kaul | Pinson |
| Buckner | Ganey | Larkins | Ramey |
| Busby | Garrett | Leonard | Richardson |
| Bush | George | McDanal | Roberts |
| Callahan | Gibson | McDonald | Rogers |
| Coburn | Hankins | Mason | Sellers |

| | | | |
|---------|---------------|---------------------|--------|
| Shelton | Taylor (Hale) | Thompson (Crenshaw) | Ward |
| Stewart | Thomas | Tucker | Weaver |

—56

Nays: Messrs.: Gillis, McGowin, McIlwain, Malone, Sightler.

—5

Mr. Larkins offered the following amendment to the bill, H. 79, as amended:

AMENDMENT TO H. NO. 79 BY MR. LARKINS

Amend Section 12, subsection c-2, of House Bill No. 79 as amended by striking out after the words "Physical Restoration of Crippled Children" the figures \$140,000" and substituting therefor the figures "\$210,000."

And the amendment was adopted.

Yeas 76; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | Leonard | Shelton |
| Adams (Dale) | Faulk | McClendon | Shirley |
| Adams (Jefferson) | Ganey | McDanal | Still |
| Beatty | Garrett | McDonald | Stone |
| Benford | George | McIlwain | Sullivan |
| Black | Gibson | Mason | Taylor (Autauga) |
| Brannan | Gillis | Merrill | Taylor (Hale) |
| Brassell | Hankins | Miller | Thomas |
| Broadwater | Harris | Mitchell | Thompson |
| Brown | Harrison | Molette | son (Crenshaw) |
| Buckner | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Busby | Head | O'Neal | Tucker |
| Callahan | Hornsby | Pinkston | Wallace |
| Coburn | Howell | Pinson | Ward |
| Cox | Ingalls | Ramey | Weaver |
| Crocker | Inzer | Richardson | Whitcomb |
| Davis | Johnston | Roberts | White (Covington) |
| Denton | Kaul | Rogers | Wood (Bibb) |
| Duffee | Larkins | Sellers | Wood (Washington) |
| Dumas | | | |

—76

Nays: Mr. Malone.

—1

And the bill, H. 79, as amended, was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

| | | | |
|-------------------|------------|---------|-------------------|
| Mr. Speaker | Broadwater | Denton | Gibson |
| Adams (Dale) | Brown | Duffee | Gillis |
| Adams (Jefferson) | Buckner | Dumas | Hankins |
| Barnett | Busby | Dyar | Harris |
| Beatty | Callahan | Faulk | Harrison |
| Benford | Coburn | Frasier | Haynes (Franklin) |
| Black | Cox | Ganey | Haynes (Lowndes) |
| Brannan | Crocker | Garrett | Head |
| Brassell | Davis | George | Hornsby |

| | | | |
|-----------|------------|------------------|-------------------|
| Howell | Meeks | Rogers | Thagard |
| Ingalls | Merrill | Sadler | Thomas |
| Inzer | Miller | Sellers | Thompson |
| Johnston | Mitchell | Shelton | son (Crenshaw) |
| Kaul | Molette | Shirley | Thompson (Pike) |
| Larkins | Nelson | Sightler | Tucker |
| Leonard | Norman | Snodgrass | Wallace |
| McClendon | O'Neal | Stewart | Ward |
| McDanal | Pinkston | Still | Weaver |
| McDonald | Pinson | Stone | Whitcomb |
| McGowin | Ramey | Sullivan | White (Covington) |
| McIlwain | Richardson | Taylor (Autauga) | Wood (Bibb) |
| Malone | Roberts | Taylor (Hale) | Wood (Washington) |
| Mason | Robinson | | |

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House and returns herewith House Bill 70:

H. 70. To Amend Section 752 of Title 51, Article 10, Chapter 20, Code of Alabama 1940, as Amended by Act No. 584, Approved July 10, 1943, and Reported in Acts 1943, page 585.

J. E. Speight,
Secretary.

VOTE ON H. 70 RECONSIDERED

The motion of Mr. Stone, previously postponed until today, to reconsider the vote by which the bill, H. 70, passed the House, was adopted.

M. Sullivan offered the following amendment to the bill, H. 70:

AMENDMENT TO H. B. 70, BY MR. SULLIVAN

Amend House Bill No. 70 as follows:

In Section 1, subdivision (f), strike the following:

"Said term 'gross proceeds of sale' shall also mean and include the reasonable and fair market value of any tangible personal property withdrawn or used from the business and used or consumed in connection with said business, and shall also mean and include the reasonable and fair market value of any tangible personal property withdrawn from the business or stock in trade and used or consumed by any person so withdrawing the same."

and substitute in lieu thereof the following:

"Said term 'gross proceeds of sale' shall also mean and include the reasonable and fair market value of any tangible personal property previously purchased at wholesale which is withdrawn or used from the business or stock and used or consumed in connection with said business, and shall also mean and include the reasonable and fair market value of any tangible personal property previously

purchased at wholesale which is withdrawn from the business or stock and used or consumed by any person so withdrawing the same, except property which has been previously withdrawn from such business or stock and so used or consumed and with respect to which property the tax has been paid because of such previous withdrawal, use or consumption, and except property which enters into and becomes an ingredient or component part of tangible personal property or products manufactured or compounded for sale and not for the personal and private use or consumption of any person so withdrawing, using or consuming the same."

In Section 1, subdivision (h), strike the following:

"Said term 'gross receipts' shall also mean and include the reasonable and fair market value of any tangible personal property withdrawn or used from the business and used or consumed in connection with said business, and shall also mean and include the reasonable and fair market value of any tangible personal property withdrawn from the business or stock in trade and used or consumed by any person so withdrawing the same."

and substitute in lieu thereof the following:

"Said term 'gross receipts' shall also mean and include the reasonable and fair market value of any tangible personal property previously purchased at wholesale which is withdrawn or used from the business or stock and used or consumed in connection with said business, and shall also mean and include the reasonable and fair market value of any tangible personal property previously purchased at wholesale which is withdrawn from the business or stock and used or consumed by any person so withdrawing the same, except property which has been previously withdrawn from such business or stock and so used or consumed and with respect to which property the tax has been paid because of such previous withdrawal, use or consumption, and except property which enters into and becomes an ingredient or component part of tangible personal property or products manufactured or compounded for sale and not for the personal and private use or consumption of any person so withdrawing, using or consuming the same."

In Section 1, subdivision (j), strike the following:

"The term 'sale at retail' or 'retail sale' shall also mean and include the use or consumption of any tangible personal property by any one who purchases same at wholesale, and such wholesale purchaser shall report and pay the taxes thereon."

and substitute in lieu thereof the following:

"The term 'sale at retail' or 'retail sale' shall also mean and include the withdrawal, use or consumption of any tangible personal property by any one who purchases same at wholesale, except property which has been previously withdrawn from the business or stock and so used or consumed and with respect to which property the tax has been paid because of such previous withdrawal, use or consumption, and except property which enters into becomes an in-

redient or component part of tangible personal property or products manufactured or compounded for sale and not for the personal and private use or consumption of any person so withdrawing, using or consuming the same; and such wholesale purchaser shall report and pay the taxes thereon."

In Section 1, at the end of said Section 1, insert the following: "(2) It is hereby declared to be the legislative intent no to affect by the provisions of this section the exemptions specifically provided for by sections 755 and 789, as amended, of Title 51, Code of Alabama 1940."

And the amendment offered by Mr. Sullivan to the bill, H. 70, was adopted.

Yeas 86; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | McClendon | Shirley |
| Adams (Dale) | Dyar | McDanal | Sightler |
| Adams (Jefferson) | Faulk | McDonald | Snodgrass |
| Barnett | Frasier | McGowin | Stewart |
| Beatty | Ganey | Malone | Still |
| Benford | Garrett | Mason | Stone |
| Bennett | Gibson | Meeks | Sullivan |
| Black | Gillis | Merrill | Taylor (Autauga) |
| Brannan | Hankins | Miller | Taylor (Hale) |
| Brassell | Harris | Mitchell | Thagard |
| Broadwater | Harrison | Molette | Thompson |
| Brown | Haynes (Franklin) | Nelson | son (Crenshaw) |
| Buckner | Haynes (Lowndes) | Norman | Thompson (Pike) |
| Busby | Head | O'Neal | Tucker |
| Bush | Howell | Pinson | Wallace |
| Callahan | Ingalls | Raney | Ward |
| Coburn | Inzer | Richardson | Weaver |
| Cox | Johnston | Robinson | Whitcomb |
| Crocker | Kaul | Rogers | White (Covington) |
| Davis | Larkins | Sadier | Wood (Bibb) |
| Denton | Leonard | Sellers | Wood (Washington) |
| Duffee | Lovell | Shelton | |

—86

And said bill, H. 70, as amended, was again read at length and passed.

Yeas 72; Nays 3.

Yeas:

| | | | |
|--------------|----------|-------------------|-----------|
| Mr. Speaker | Callahan | Ganey | Inzer |
| Adams (Dale) | Coburn | Garrett | Johnston |
| Barnett | Cox | Gibson | Kaul |
| Beatty | Crocker | Hankins | Larkins |
| Benford | Davis | Harris | Leonard |
| Black | Denton | Harrison | McClendon |
| Brannan | Duffee | Haynes (Franklin) | McDanal |
| Broadwater | Dumas | Haynes (Lowndes) | McDonald |
| Buckner | Dyar | Head | Mason |
| Busby | Faulk | Howell | Meeks |
| Bush | Frasier | Ingalls | Merrill |

| | | | |
|----------|----------|------------------|-------------------|
| Miller | Roberts | Snodgrass | Wallace |
| Mitchell | Robinson | Still | Ward |
| Molette | Rogers | Stone | Weaver |
| Nelson | Sadler | Sullivan | Whitcomb |
| Norman | Sellers | Taylor (Autauga) | White (Covington) |
| O'Neal | Shelton | Thagard | Wood (Bibb) |
| Pinson | Shirley | Tucker | Wood (Washington) |

—72

Nays: Messrs.: Richardson, Stewart, Taylor (Hale).

—3

MOTION TO RECONSIDER H. 79

The motion of Mr. Merrill to table his motion to reconsider the vote by which the bill, H. 79, was passed, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 312. Relating to sentences imposed by the Recorder's Court of Birmingham, Alabama; and, without limiting the generality of the foregoing, to provide for the suspension of execution, the execution after suspension, and the remission of, such sentences or any part thereof.

By a majority of the whole number elected to the Senate, said vote being Yeas 29 Nays 0.

And said bill, as thus amended by the Executive Amendment was then read a third time at length and passed by a vote of a majority of the whole number elected to the Senate: Said vote being Yeas 30 Nays 0.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith returned to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 269. To regulate the office of sheriff in counties of 400,000 population or over according to the last Federal census or any subsequent Federal census, to exempt the sheriffs of such counties from court costs; to exempt sheriffs from liability for the acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of sheriffs, and to provide for the payment of the premium on the sheriffs and deputies bonds out of the county treasury;

authorizing the sheriff to employ an attorney to advise and represent him, whose compensation is to be fixed by the board of revenue or like governing body and paid out of the general fund; and providing when and where this act shall become effective.

By a majority of the whole number elected to the Senate, said vote being Yeas 29, Nays 0.

And said bill, as thus amended by the Executive Amendment was then read a third time at length and passed by a vote of a majority of the whole number elected to the Senate: Said vote being Yeas 31, Nays 0.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith returned to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 49. Relative to expressing to the family of A. H. Carmichael the sympathy of the members of the Legislature of Alabama.

J. E. Speight,
Secretary.

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:25 A.M. on July 17, 1947.

H. 80

H. 113

H. 315

H. 432

R. T. Goodwyn, Jr.,
Clerk.

BILLS ON THIRD READING RESUMED

S. 226. To authorize the Department of State Docks and Terminals of Alabama, with the approval of the Governor, to expand the port facilities of the State of Alabama to meet the present and

prospective needs of trade and commerce; to acquire and operate additional properties and facilities; to borrow money and to issue and sell bonds, notes or certificates referred to herein as revenue securities; to provide the purposes for which such money may be borrowed; to provide for the form, tenor, effect, interest rates and maturities and payment of such revenue securities; to provide that such revenue securities shall not constitute indebtedness of the State of Alabama, and shall not pledge the faith or credit of the State of Alabama; to provide that such Revenue Securities may be payable from the gross revenues of the unit or units or facility or facilities in whole or in part acquired with the proceeds of such Revenue Securities and out of the gross revenues of said Department, subject to sinking fund requirements, certain operating expenses and other vital commitments; to provide for and authorize the pledge of such revenues to such revenue securities and to provide for the order of payment and priorities of payment of such revenue securities out of such revenue; to authorize the publication of notice concerning the issuance of such revenue securities and limiting the time within which any action may be brought to set aside or contest the validity of any such revenue securities or any proceeding authorizing same or any contractual obligations incurred in connection therewith; to provide for the acceptance of grants and to contract with reference to such grants; to provide **for the funding or refunding of obligations of said department** by the issuance of such revenue securities and to provide the effective date of this Act and repeal all laws and parts of laws in conflict with the Act.

Was taken up.

Mr. Harris offered the following amendment to the bill, S. 226:

AMENDMENT TO S. 226 BY MR. HARRIS

Amend S.B. 226 by adding thereto Section 7½ immediately following Section 7; Section 7½ to read as follows:

Section 7½. Not more than \$2,500 of the amount received from the sale of the bonds authorized by this Act or from any other funds of the State of Alabama or of any board, commission, bureau, or other agency of the State, shall be used or expended in payment for the services of an attorney rendered in any manner whatsoever pertaining to this Act, or pertaining to the issuance of the bonds authorized by this Act.

And the amendment offered by Mr. Harris was adopted.

Yeas 71; Nays 7.

Yeas:

| | | | |
|-------------------|---------|------------|----------|
| Mr. Speaker | Barnett | Brannan | Bush |
| Adams (Dale) | Benford | Broadwater | Callahan |
| Adams (Jefferson) | Black | Buckner | Coburn |

| | | | |
|-------------------|------------------|------------|-------------------|
| Cox | Haynes (Lowndes) | Merrill | Snodgrass |
| Crocker | Head | Miller | Stewart |
| Davis | Hornsby | Mitchell | Still |
| Denton | Kaul | Molette | Taylor (Autauga) |
| Duffee | Larkins | Nelson | Taylor (Hale) |
| Dumas | Leonard | Norman | Thagard |
| Dyar | Lovelace | O'Neal | Thomp- |
| Faulk | McClendon | Pinson | son (Crenshaw) |
| Frasier | McDanal | Richardson | Thompson (Pike) |
| Garrett | McDonald | Roberts | Wallace |
| Gibson | McGowin | Robinson | Ward |
| Gillis | McIlwain | Rogers | Weaver |
| Hankins | Malone | Sadler | White (Covington) |
| Harris | Mason | Shelton | Wood (Bibb) |
| Haynes (Franklin) | Meeks | Sightler | Wood (Washington) |

—71

Nays: Messrs.: Bush, Ingalls, Johnston, Sellers, Stone, Sullivan, Tucker. —7

And said bill, S. 226, as amended, was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Faulk | McGowin | Snodgrass |
| Adams (Dale) | Gibson | Malone | Stewart |
| Adams (Jefferson) | Gillis | Mason | Still |
| Barnett | Hankins | Meeks | Stone |
| Benford | Harris | Merrill | Sullivan |
| Black | Harrison | Miller | Taylor (Autauga) |
| Brannan | Haynes (Franklin) | Mitchell | Taylor (Hale) |
| Broadwater | Haynes (Lowndes) | Molette | Thagard |
| Buckner | Head | Nelson | Thomp- |
| Busby | Hornsby | Norman | son (Crenshaw) |
| Bush | Ingalls | Pinson | Thompson (Pike) |
| Callahan | Inzer | Richardson | Tucker |
| Coburn | Johnston | Roberts | Wallace |
| Cox | Kaul | Robinson | Ward |
| Crocker | Larkins | Rogers | Weaver |
| Davis | Leonard | Sadler | Whitcomb |
| Denton | Lovelace | Sellers | White (Covington) |
| Duffee | McClendon | Shelton | Wood (Bibb) |
| Dumas | McDanal | Shirley | Wood (Washington) |
| Dyar | McDonald | Sightler | |

—78

ADJOURNMENT

On motion of Mr. Kaul, the House, in accordance with S.J.R. 30 heretofore adopted, adjourned until Friday, July 18, 1947, at 9 o'clock, A.M.

SEVENTEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, July 18, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Major Leonard Van Egmond, Officer in Charge Salvation Army Activities, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------------|-------------------|----------------|-------------------|
| Mr. Speaker | Doughty | Larkins | Sadler |
| Adams (Dale) | Duffee | Leonard | Sellers |
| Adams (Jefferson) | Dumas | Lovelace | Shelton |
| Barnett | Dyar | McClendon | Shirley |
| Beatty | Evans | McDanal | Sightler |
| Benford | Faulk | McDonald | Snodgrass |
| Bennett | Frasier | McGowin | Still |
| Black | Ganey | McIlwain | Stone |
| Brannan | Garrett | Malone | Sullivan |
| Brassell | George | Mason | Taylor (Autauga) |
| Broadwater | Gibson | Meeks | Taylor (Hale) |
| Brown | Gillis | Merrill | Thagard |
| Buckner | Givhan | Miller | Thomp- |
| Busby | Hankins | Mitchell | son (Crenshaw) |
| Busli | Harris | Molette | Thompson (Pike) |
| Callahan | Haynes (Franklin) | O'Neal | Tucker |
| Cobb | Haynes (Lowndes) | Pinkston | Wallace |
| Coburn | Head | Pinson | Ward |
| Cox | Hornsby | Ramey | Weaver |
| Crocker | Howell | Richardson | Whitcomb |
| Davis | Ingalls | Roberts | White (Covington) |
| Denton | Inzer | Robinson | Wood (Bibb) |
| Dobbs (Elmore) | Johnston | Rogers | Wood (Washington) |
| Dobbs (Fayette) | Kaul | | |

—93

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixteenth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the sixteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the sixteenth legislative day was approved.

June 18, 1947

MOTION IN WRITING BY MR. BUSH

Having been called to the telephone on an emergency call when the vote was taken on House Bill No. 79, I hereby request for the Journal to show that had I been in the House, I would have voted for House Bill No. 79.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 211. To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of said salaries by the Counties of certain Judicial Circuits.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Patterson:

S. 128. To amend Title 37, Section 341, of the Code of Alabama, 1940.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 128. Local Government

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bill, to-wit:

H. 211. To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of said salaries by the Counties of certain Judicial Circuits. And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the House amendment to the bill:

S. 226. To authorize the Department of State Docks and Terminals of Alabama, with the approval of the Governor, to expand the port facilities of the State of Alabama to meet the present and prospective needs of trade and commerce; to acquire and operate additional properties and facilities; to borrow money and to issue and sell bonds, notes or certificates referred to herein as revenue securities; to provide the purposes for which such money may be borrowed; to provide for the form, tenor, effect, interest rates and maturities and payment of such revenue securities; to provide that such revenue securities shall not constitute indebtedness of the State of Alabama, and shall not pledge the faith or credit of the State of Alabama; to provide that such Revenue Securities may be payable from the gross revenues of the unit or units or facility or facilities in whole or in part acquired with the proceeds of such Revenue Securities and out of the gross revenues of said Department, subject to sinking fund requirements, certain operating expenses and other valid commitments; to provide for and authorize the pledge of such revenues to such revenue securities and to provide for the order of payment and priorities of payment of such revenue securities out of such revenue; to authorize the publication of notice concerning the issuance of such revenue securities and limiting the time within which any

action may be brought to set aside or contest the validity of any such revenue securities or any proceeding authorizing same or any contractual obligations incurred in connection therewith; to provide for the acceptance of grants and to contract with reference to such grants; to provide for the funding or refunding of obligations of said department by the issuance of such revenue securities and to provide the effective date of this Act and repeal all laws and parts of laws in conflict with the Act.

J. E. Speight,
Secretary.

BILLS ON SECOND READING

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Gibson, Beatty, Dumas, Adams (Jefferson), and Meeks:

H. 663. To increase the compensation of the Judge of the Jefferson County Court of Misdemeanors; to invest said court with jurisdiction in bastardy proceedings; and to provide for the appointment and compensation of a special judge of said court at times when the regular judge thereof is ill, disqualified or unable to serve.

By Mr. Doughty:

H. 657. To Authorize the Court of County commissioners of Pickens County, Alabama, or other Governing Bodies of said County, to pay a salary to a Deputy Sheriff, other than and in addition to the Chief Deputy Sheriff holding appointment from the Sheriff of a said County to pay a Salary to such other Deputy Sheriff of not more than \$200.00 a month to be paid by monthly installment out of the Treasury of the County upon the Warrant of the Court of County Commissioners or the governing body of the said County.

By Mr. Benford:

H. 655. To Alter or Re-arrange The Boundary Lines of the Town of Arab, Marshall County, Alabama, so as to include within the Corporate Limits of said Town all Territory Now Within Such Corporate Limits and Also Certain Other Territory in Marshall County, Alabama.

By Mr. Benford:

H. 654. To provide for an additional deputy sheriff for Marshall County, Alabama, to fix his salary, time and method of its payment, funds that it shall be paid from and make it a preferred claim against the general fund and provide when this act shall take effect.

By Mr. Lovelace:

H. 650. To authorize The Board of Revenue of Escambia County Ala. to allow and pay the necessary, actual, reasonable, and monthly expenses of the Members of said Board in the performance of their Public and Official Duties as Members of said Board for the amount agreed on by said Board, of (\$65.00) Sixty-Five-Dollars per month for each member and not less than said amount until the further orders of said Board.

By Mr. Malone:

H. 649. To subdivide the City of Dothan into wards for the purpose of conducting municipal elections; to identify the territorial limits of each ward; to require all qualified electors residing in the City and voting in a municipal election to cast their ballot in the ward in which such elector resides; and to repeal all laws or parts of laws in conflict with the provisions of the Act.

By Mr. Malone:

H. 648. To subdivide Precinct Number Three of Houston County into four Election Districts; to identify the territorial limits of each District; to require all persons in said Precinct to vote in the District in which he or she may reside; and to repeal all laws and parts of laws in conflict with the provisions of the Act.

By Messrs. Sullivan, Johnston, and Stone:

H. 659. To require the tax assessor of counties having a population of not less than 140,000 and not more than 400,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties.

By Mr. Dobbs (Fayette):

H. 645. "AN ACT to authorize and empower the Judge of Probate of Fayette County, Alabama, to appoint a Chief Clerk, to fix the salary of said Chief Clerk, provide the method of payment of said salary, and to provide for or require said Chief Clerk to enter into an official bond in the sum of Twenty-Five Hundred (\$2,500.00) Dollars conditioned and payable as required by law.

By Messrs. Miller and Roberts:

H. 646. To amend Sections 1 and 3 of an act entitled, "An act to fix the compensation or salary to be paid the Tax Assessor of Etowah County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Assessor of Etowah County, Alabama, and to require said Tax Assessor to collect all fees, compensation and allowances heretofore or hereafter authorized to be collected by him, including compensation

payable to him for making ad valorem tax assessments for the several municipalities in Etowah County, and to pay same into the county treasury of Etowah County; to provide for the payment of the salary or compensation of said Tax Assessor of Etowah County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of said Tax Assessor, and to prescribe when this act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943 and set out in 1943 Local Acts of the Legislature of Alabama, pages 71 and 72 as Local Act No. 136.

By Messrs. Miller and Roberts:

H. 647. To amend Sections 1 and 3 of an act entitled, "An Act to Fix the Compensation or salary to be paid the Tax Collector of Etowah County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Collector of Etowah County, Alabama, and to require said Tax Collector to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, including compensation payable to him for collecting ad valorem taxes for the several municipalities in Etowah County, and to pay same into the county treasury of Etowah County; to provide for the payment of the salary or compensation of said Tax Collector of Etowah County, and the clerks, deputies and other clerical assistants, and other office expenses out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Tax Collector, and to prescribe when this act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 69, 70 and 71 as Local Act No. 135.

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Cox (with notice and proof):

H. 668. TO ALTER THE CORPORATE LIMITS OF THE TOWN OF MAPLESVILLE, CHILTON COUNTY, ALABAMA, AND TO REARRANGE AND DEFINE THE BOUNDARIES THEREOF.

Local Legislation.

Notice and Proof H. 668:

A BILL TO EXTEND THE CORPORATE LIMITS OF THE TOWN
OF MAPLESVILLE, CHILTON COUNTY, ALABAMA

STATE OF ALABAMA,
CHILTON COUNTY.

Notice is hereby given that a bill will be introduced in the 1947 session of the Legislature of Alabama, to alter the corporate limits of the Town of Maplesville, Chilton County, Alabama, and to define the boundaries thereof, said bill in substance being as follows:

AN ACT

To alter the Corporate Limits of the Town of Maplesville, Chilton County, Alabama, and to rearrange and define the boundaries thereof.

Be it enacted by the Legislature of Alabama that hereafter the corporate limits of the Town of Maplesville, Chilton County, Alabama, shall be as follows:

Commencing at the Northwest corner of the Southwest quarter of the Southwest quarter of Section 16, Township 21, Range 12, in Chilton County, Alabama, and run thence East to the West bank of Mulberry Creek, thence run in a Southerly direction on and along the West bank of said Mulberry Creek following the meanderings thereof to the point where said West bank of Mulberry Creek intersects the South boundary line of Section 21, Township 21, Range 12; thence run West to the Southwest corner of Section 21, Township 21, Range 12; thence run North to the point of beginning, in Chilton County, Alabama, it being the intention hereof to describe and embrace all of the land in the South half of the South half of Section 16, Township 21, Range 12, and all of the land in Section 21, Township 21, **Range 12, lying West of Mulberry Creek.**

All of the territory embraced within the above described boundaries shall be included within the corporate limits of said town.

Dated this the 23rd day of June, 1947.

J. P. THOMAS,
W. L. HAMPTON,
J. H. GRAHAM,
RAYMOND W. STREMMING,
EDWIN CLAPP,
J. U. CHAMBERS.

STATE OF ALABAMA,
CHILTON COUNTY.

Personally appeared before me, the undersigned authority, in and for said County in said State, R. M. Tucker, who having been by me first duly sworn, depose and says:

That he is the editor and publisher of The Chilton County News, a weekly newspaper, of general circulation, published and distributed in Chilton County, Alabama, and that the notice which is attached hereto and made a part hereof, was published for four consecutive weeks in said newspaper, The Chilton County News of Chilton County, Alabama in the issues of, to-wit: June 26; July 3; July 10, and July 17, all in the year of 1947, and that such publication was made without cost to the State of Alabama.

R. M. TUCKER.

Sworn to and subscribed before me and my official seal attached, on this the 17th. day of July, 1947.

(SEAL) DELENE CLECKLER,
Notary Public.

By Mr. Buckner (with notice and proof):

H. 669. For the relief of W. R. Griffin and Graf Hart.

Local Legislation.

Notice and Proof H. 669:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To authorize and direct the governing body of Cullman County to pay to W. R. Griffin and Graf Hart the sum of one hundred twenty-five dollars (\$125) each of services performed with respect to absentee ballots at the primary and general elections of 1946.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Cullman County is authorized and directed to pay to W. R. Griffin and Graf Hart the sum of one hundred and twenty-five dollars (\$125) each out of the general fund of the county as compensation for services rendered by W. R. Griffin at the primary election in May, 1946 and by Graf Hart at the general election in November, 1946, in performing the duties of the Probate Judge in receiving requests for absentee ballots, making a record of the same, and issuing absentee ballots, by reason of the fact that the Probate Judge and the Sheriff of Culiman County were disqualified to perform said duties.

June 12, 19, 26 July 3 C.

THE STATE OF ALABAMA,
CULLMAN COUNTY

Before me, B. R. Fant a Notary Public in and for said County and State, personally appeared J. R. Rosson, publisher of THE CULLMAN DEMOCRAT, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says, that the notice of which the attached is a true copy, was published in said newspaper, once a week, for four successive weeks and being in the issues of the said newspaper of the following dates, viz June 12-19-26-July 3, 1946.

J. R. ROSSON,
Publisher.

Sworn to and subscribed before me this the 14 day of July, 1947
(SEAL) B. R. FANT.

By Messrs. Roberts, Miller and Frasier:

H. 670. To amend Section 198 of Title 13 of the 1940 Code, which relates to the duties of circuit clerks; providing that documents required to be recorded by circuit clerks may be recorded by means of a photograph or photostat machine.

Judiciary.

By Messrs. Miller, Roberts, and Frasier:

H. 671. To amend Section 213 of Title 13 of the 1940 Code, which relates to the duties of registers; providing that documents required to be recorded by registers may be recorded by means of a photograph or photostat machine.

Judiciary.

By Messrs. Frasier, Roberts, and Miller:

H. 672. To amend Section 5 of Title 7 of the 1940 Code, which relates to the recordation of papers and documents in civil suits at law or in equity.

Judiciary.

By Mr. Taylor (Autauga) (with notice and proof):

H. 673. To extend, alter and rearrange the boundary lines and corporate limits of the City of Prattville, in Autauga County, Alabama.

Local Legislation.

Notice and Proof H. 673:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that the following local bill will be introduced in the 1947 session of the Legislature of Alabama.

A BILL TO BE ENTITLED AN ACT

To extend, alter and re-arrange the boundary lines and corporate limits of the City of Prattville, in Autauga County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundary lines and corporate limits of the City of Prattville, in Autauga County, Alabama, be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said City all of the following described territory: Beginning at the center of Section 9, township 17, range 16, thence north one-half mile to the half mile corner on the north line of section 9, thence west one-half mile to the northwest corner of section 9, thence north one-half mile to half mile corner on the east line of section 5, thence west one-fourth mile to the southeast corner of the west half of the northeast quarter of section 5, thence north three-fourths mile to the northeast corner of the southwest quarter of the southeast quarter of section 32, township 18, range 16, thence west three-fourths mile to the northwest corner of the south half of the southwest quarter of section 32, thence south three-fourths mile to half mile corner on west line of section 5, township 17, range 16, thence west one-half mile to the center of section 6, thence south one and one-half miles to one half mile corner on the south line of section 7, thence east one-half mile to the southeast corner of section 7, thence south one-half mile to southwest corner of the northwest quarter of section 17, thence east three-fourths mile to the northwest corner of the east half of the southeast quarter of section 17, thence south one-half mile to the southwest corner of the east half of the southeast quarter of section 17, thence east along the south line of sections 17 and 16 five-eighths of a mile to Autauga Creek, thence up Autauga Creek with its meanderings to the south line of the northeast quarter of the southwest quarter of section 16, thence east about 10 chains to the southeast corner of the west half of the northeast quarter of the southwest quarter of section 16, thence north 20 chains, more or less to the half section line of section 16, thence east 10 chains to the center of section 16, thence east 48 chains, more or less, to the west line of the public road, thence north along the west side of said public road and Prattmont corporate limits 893 feet,

more or less to Loder Street, thence north about 40 degrees west along the west line of Loder Street 970 feet, thence north 650 feet to Davis Street, thence north 40 degrees west along Davis Street 390 feet, more or less to the north line of section 16, thence east 400 feet, more or less to the northeast corner of section 16, thence east one-half mile to the half mile corner on the north line of section 15, thence north one-half mile to the center of section 10, thence west one mile to the point of beginning.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon it otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

THIS IS TO CERTIFY that the attached Local Legislation notice appeared in The Prattville Progress, a newspaper published in the City of Prattville and the County of Autauga, Alabama, for 4 consecutive issues, namely those of May 22, May 29, June 5, June 12, 1947

The Prattville Progress, in which the attached advertisement was carried, has a general circulation in the county in which it is published, which newspaper has been mailed under second-class mailing privileges for 52 consecutive weeks prior to the publication of the said Local Legislation

HARRY M. DOSTER,
Owner and Editor.

Sworn to and subscribed before me, this 7th day of July 1947.

(SEAL)

J. G. DUNCAN, JR.,
Notary Public.

By Mr. Sadler:

H. 674. To permit and to prescribe the conditions and procedure in actions at law and in equity whereby third parties may be brought in and to provide as to the claims and defenses which may be asserted as between such parties and the original or added parties.

Judiciary.

By Mr. Head:

H. 675. To repeal Section 62 of Title 46 of the 1940 Code, which relates to municipal officers acting as attorney for public utility corporations.

Judiciary.

By Mr. Shelton:

H. 676. To prohibit the use of county employees, money or property for private benefit or gain.

Local Government.

By Mr. Adams (Jefferson) (by request):

H. 677. Proposing an amendment of Section 11 of the Constitution of Alabama relating to trial by jury, and ordering an election thereon.

The above and foregoing bill, H. 677, proposing an amendment to the Constitution, was read one time at length and referred to the Standing Committee on Constitution and Elections.

By Mr. Callahan:

H. 678. To amend Section 486, Title 51, Article 1, Chapter 20, Code of Alabama 1940, and Section 597, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Mr. Lovelace:

H. 679. To Amend Section 484, Title 37, Code of 1940, Relating to the time for taking a municipal census.

Local Government.

By Mr. Haynes (Lowndes):

H. 680. To declare the public policy of the State of Alabama and its political sub-divisions concerning the state or other political sub-divisions entering into collective bargaining with a labor organization respecting the wages, hours, or condition of employment of public employees; to declare the policy of the State concerning strikes or organized work stoppage by public employees and penalties for same; to declare the policy of the State concerning public employment by reason of membership or non-membership of public employees in a labor organization; and to define the term "labor organization" for the purpose of this Act."

State Administration.

By Mr. Wood (Washington):

H. 681. To Amend Section 164 of Title 8 of the Code of Alabama of 1940. To Repeal Section 157 and Section 163 of Title 8 of the Code of Alabama of 1940.

Conservation.

By Mr. Wood (Washington):

H. 682. To Amend an Act entitled "An Act to Amend Section 139 of Title 8 of the Code of Alabama of 1940, approved July 7, 1945."

Ways and Means.

By Mr. Wood (Washington):

H. 683. To amend Section 135 of Title 8 of the Code of Alabama of 1940.

Conservation.

By Mr. Wood (Washington):

H. 684. To provide a license for any person taking or catching oysters from the public oyster beds of Alabama by use of tongs. To provide how this license shall be issued and to whom. To provide for disposition of the revenue derived from such licenses. To provide a penalty for the violation of the provisions of this Act. To repeal all laws in conflict herewith. To provide when this Act shall become effective and for other purposes.

Conservation.

By Mr. Wood (Washington):

H. 685. To provide for a tax on turtle or terrapin packed, canned, or caught for commercial purposes and to provide penalties for the violation hereof; to provide for the size limit for the taking of diamond back terrapin and to provide for the disposition of the proceeds for such tax.

Conservation.

By Mr. Wood (Washington):

H. 686. To require and provide for licenses for persons, firms, corporations, co-partnerships, and associations to engage in the business or operation of selling, packing, canning, processing, transporting, or dealing in oysters, shrimp, crab, and other seafood. To provide a method for issuing such licenses and to whom issued. To provide for the disposition of the revenue to be derived from such licenses. To define certain seafood businesses or operations. To define a non-resident. To regulate the manner and means of transporting, selling, packing, or dealing in oysters, shrimp, crabs and other seafood. To provide a penalty for the violation of the provisions of this Act. To provide the time when this Act shall become effective and other purposes. To repeal Sections 138, 142, 143, 144, 145, and 146 of Title 8 of the Code of Alabama of 1940.

Conservation.

By Messrs. Sullivan and Stone:

H. 687. To create The Alabama World Trade Authority, and to provide for the appointment and term of the members thereof; to fix the powers and duties of the Authority; to provide for the selection of employees of the Authority; and to make an appropriation for the maintenance and operation of the Authority.

Ways and Means.

BILLS ON THIRD READING

S. 278. To provide, in any city of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority to sponsor, promote, develop and foster agriculture and industry, and to provide educational, cultural and recreational facilities, exhibits and exhibitions and places of amusement and entertainment for the citizens of such city; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said director; to provide for the powers of such authority; to authorize the city to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the author-

ity to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed, to authorize the city to make appropriations or to lend money to the authority; and to accord the authority exemptions from State, county and city taxation.

Was taken up.

Mr. Dumas offered the following amendment to the bill, S. 278:

AMENDMENT TO SENATE BILL NO. 278 BY MR. DUMAS

Section 1. The title to Senate Bill No. 278 is amended by striking therefrom the following words:

“to sponsor, promote, develop and foster agriculture and industry, and to provide educational, cultural and recreational facilities, exhibits and exhibitions and places of amusement and entertainment for the citizens of such city”;

and by inserting in lieu and in place of said words so stricken the following words:

“to lease, or own, or otherwise acquire and provide, control and operate fairgrounds, parks, exhibits, exhibitions and other installations, facilities and places for the amusement, **entertainment, recreation and cultural development** of the citizens of such city”

Section 2. Section 1 of Senate Bill No. 278 is amended by striking therefrom the following words:

“to sponsor, promote, develop and foster agriculture and industry, and to provide educational, cultural and recreational facilities, exhibits and exhibitions, and places of amusement and entertainment for the citizens of such city”;

and by inserting in lieu and in place of said words so stricken the following words:

“to lease, or own, or otherwise acquire and provide, control and operate fairgrounds, parks, exhibits, exhibitions and other installations, facilities and places for the amusement, entertainment, **recreation and cultural development** of the citizens of such city”;

Section 3. Section 6 of Senate Bill No. 278 is amended by striking therefrom the following words:

“for the promotion and development of agriculture and industry and”

Section 4. Section 13 of Senate Bill No. 278 is amended by striking therefrom the following words:

“sponsoring, promoting, developing and fostering agriculture and industry or for the purpose of”;

And the amendment was adopted.

Yeas 61; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|------------------|
| Messrs.: | Denton | Kaul | Rogers |
| Adams (Dale) | Dumas | Larkins | Sellers |
| Adams (Jefferson) | Faulk | McDonald | Shelton |
| Beatty | Frasier | McGowin | Shirley |
| Benford | Ganey | Mason | Sightler |
| Black | Garrett | Meeks | Stone |
| Brannan | George | Merrill | Taylor (Autauga) |
| Brassell | Gibson | Miller | Taylor (Hale) |
| Broadwater | Gillis | Mitchell | Thagard |
| Buckner | Hankins | Molette | Thompson (Pike) |
| Busby | Harris | O'Neal | Tucker |
| Bush | Harrison | Pinson | Wallace |
| Callahan | Haynes (Lowndes) | Richardson | Ward |
| Coburn | Head | Roberts | Weaver |
| Cox | Howell | Robinson | Wood (Bibb) |
| Davis | Inzer | | |

—61

And the bill, S. 278, as amended, was read a third time at length and passed.

Yeas 57; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|------------------|
| Messrs.: | Dumas | McDonald | Sadler |
| Adams (Dale) | Faulk | McGowin | Sellers |
| Adams (Jefferson) | Frasier | Mason | Shelton |
| Beatty | Ganey | Meeks | Shirley |
| Benford | George | Merrill | Sightler |
| Brannan | Gibson | Miller | Snodgrass |
| Brassell | Gillis | Mitchell | Taylor (Autauga) |
| Broadwater | Hankins | Molette | Taylor (Hale) |
| Buckner | Harrison | O'Neal | Thagard |
| Busby | Haynes (Lowndes) | Pinson | Tucker |
| Bush | Head | Richardson | Wallace |
| Callahan | Howell | Roberts | Ward |
| Coburn | Ingalls | Robinson | Weaver |
| Davis | Kaul | Rogers | Wood (Bibb) |
| Denton | Larkins | | |

—57

And the bill:

H. 518. To further define and extend the powers, authority and duties of the Deputy Circuit Solicitor of the Tenth Judicial Circuit of the State of Alabama who is elected by the people; to provide and impose additional duties for such Deputy Circuit Solicitor, and to provide for additional compensation for such Deputy Circuit Solicitor, and to make provision for the payment of such additional compensation; provided, however, that, if an increase is made in the present session of the Legislature in the annual salary which is paid by the State of Alabama to said Deputy Circuit Solicitor, then the additional annual compensation herein specified to be paid by the county shall be reduced by the amount of such

increase; and to provide the effective date of this act, and to repeal all laws, general, local, and special, in conflict with this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|------------------|
| Messrs.: | Doughty | Howell | Richardson |
| Adams (Dale) | Duffee | Ingalls | Roberts |
| Adams (Jefferson) | Dumas | Inzer | Robinson |
| Beatty | Evans | Larkins | Sellers |
| Benford | Faulk | McClendon | Shelton |
| Black | Frasier | McDanal | Shirley |
| Brannan | Ganey | McDonald | Sightler |
| Brassell | Garrett | McGowin | Stone |
| Broadwater | George | Mason | Taylor (Autauga) |
| Buckner | Gibson | Meeks | Taylor (Hale) |
| Busby | Gillis | Merrill | Thagard |
| Bush | Hankins | Miller | Thompson (Pike) |
| Callahan | Harris | Mitchell | Tucker |
| Coburn | Harrison | Molette | Wallace |
| Cox | Haynes (Franklin) | O'Neal | Ward |
| Davis | Haynes (Lowndes) | Pinson | Weaver |
| Denton | Head | Ramey | Wood (Bibb) |
| Dobbs (Elmore) | Hornsby | | |

—69

And the bill:

H. 621. For the relief of H. A. (Gus) Thompson and to authorize the County Commission of Jefferson County, Alabama, to pay to H. A. (Gus) Thompson the sum of One Hundred Fifty Dollars (\$150) for serving as clerk and assistant to the Election Commission of Jefferson County and performing services in the selection of clerks, managers and returning officers for the polls for elections held in 1946.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|------------------|
| Messrs.: | Doughty | Ingalls | Roberts |
| Adams (Dale) | Duffee | Inzer | Robinson |
| Adams (Jefferson) | Dumas | Kaul | Sadler |
| Beatty | Evans | Larkins | Sellers |
| Benford | Faulk | McDanal | Shelton |
| Black | Ganey | McDonald | Shirley |
| Brannan | Garrett | McGowin | Stone |
| Brassell | George | Mason | Taylor (Autauga) |
| Broadwater | Gibson | Meeks | Taylor (Hale) |
| Buckner | Gillis | Merrill | Thagard |
| Busby | Hankins | Miller | Thompson (Pike) |
| Bush | Harris | Mitchell | Tucker |
| Callahan | Harrison | Molette | Wallace |
| Coburn | Haynes (Franklin) | O'Neal | Ward |
| Cox | Haynes (Lowndes) | Pinson | Weaver |
| Davis | Head | Ramey | Wood (Bibb) |
| Denton | Howell | Richardson | |

—66

And the bill:

H. 623. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000), or more, according to the last or any subsequent Federal census to pay into the county treasury all fees, cost, commissions, and prerequisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|------------------|
| Messrs.: | Denton | Inzer | Robinson |
| Adams (Dale) | Doughty | Kaul | Sadler |
| Adams (Jefferson) | Duffee | Larkins | Sellers |
| Beatty | Dumas | McClendon | Shelton |
| Benford | Ganey | McDanal | Shirley |
| Black | Garrett | McDonald | Sightler |
| Brannan | George | Mason | Still |
| Brassell | Gibson | Meeks | Stone |
| Broadwater | Gillis | Merrill | Taylor (Autauga) |
| Buckner | Hankins | Miller | Taylor (Hale) |
| Busby | Harris | Mitchell | Thompson (Pike) |
| Bush | Haynes (Franklin) | O'Neal | Tucker |
| Callahan | Haynes (Lowndes) | Pinson | Wallace |
| Coburn | Head | Ramey | Ward |
| Cox | Howell | Richardson | Weaver |
| Davis | Ingalls | Roberts | Wood (Bibb) |

—63

And the bill:

H. 624. To amend Section 20 of Act No. 248 of the regular session of the Legislature of Alabama of 1945 (General Acts of 1945, page 376).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|----------|---------|-------------------|
| Messrs.: | Buckner | Duffee | Harris |
| Adams (Dale) | Busby | Dumas | Haynes (Franklin) |
| Adams (Jefferson) | Bush | Faulk | Haynes (Lowndes) |
| Beatty | Callahan | Ganey | Head |
| Benford | Coburn | Garrett | Hornsby |
| Black | Cox | George | Howell |
| Brannan | Davis | Gibson | Ingalls |
| Brassell | Denton | Gillis | Inzer |
| Broadwater | Doughty | Hankins | Kaul |

| | | | |
|-----------|------------|------------------|-----------------|
| Larkins | Mitchell | Sellers | Taylor (Hale) |
| McClendon | O'Neal | Shelton | Thagard |
| McDanal | Pinson | Shirley | Thompson (Pike) |
| McDonald | Ramey | Sightler | Tucker |
| McGowin | Richardson | Snodgrass | Wallace |
| Mason | Roberts | Still | Ward |
| Meeks | Robinson | Stone | Weaver |
| Merrill | Sadler | Taylor (Autauga) | Wood (Bibb) |
| Miller | | | |

—68

H. 597 INDEFINITELY POSTPONED

On motion of Mr. Dumas the bill, H. 597, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 638. To amend Section 7 of an Act entitled "An act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 24, 1932.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|------------------|
| Messrs.: | Davis | Ingalls | Sadler |
| Adams (Dale) | Denton | Inzer | Sellers |
| Adams (Jefferson) | Duffee | Larkins | Shelton |
| Beatty | Dumas | McClendon | Shirley |
| Benford | Faulk | McDonald | Snodgrass |
| Brannan | Ganey | Mason | Still |
| Brassell | George | Meeks | Stone |
| Broadwater | Gibson | Merrill | Sullivan |
| Buckner | Gillis | Miller | Taylor (Autauga) |
| Busby | Hankins | Mitchell | Thompson (Pike) |
| Bush | Harris | O'Neal | Tucker |
| Callahan | Haynes (Lowndes) | Richardson | Wallace |
| Cobb | Head | Roberts | Ward |
| Coburn | Hornsby | Robinson | Weaver |
| Cox | Howell | Rogers | Wood (Bibb) |
| Crocker | | | |

—60

And the bill:

S. 16. To amend Section 257 of Title 13 of the 1940 Code of Alabama, as amended by An Act of the Legislature, approved July 7, 1945.

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|------------------|
| Messrs.: | Doughty | Inzer | Rogers |
| Adams (Dale) | Duffee | Kaul | Sadler |
| Adams (Jefferson) | Dumas | Larkins | Sellers |
| Beatty | Faulk | McClendon | Shelton |
| Benford | Ganey | McDonald | Shirley |
| Brannan | Garrett | Mason | Sightler |
| Brassell | George | Meeks | Snodgrass |
| Broadwater | Gibson | Merrill | Still |
| Buckner | Gillis | Miller | Sullivan |
| Busby | Hankins | Mitchell | Taylor (Autauga) |
| Bush | Harris | O'Neal | Taylor (Hale) |
| Callahan | Haynes (Lowndes) | Pinson | Thompson (Pike) |
| Cox | Head | Ramey | Wallace |
| Crocker | Hornsby | Richardson | Weaver |
| Davis | Howell | Roberts | Wood (Bibb) |
| Denton | Ingalls | | |

—61

And the bill:

H. 627. To authorize and require the Board of Revenue of Montgomery County, Alabama, to provide a pension or retiring allowance plan for the employees of said County, but not for the elective officials.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

| | | | |
|-------------------|---------|------------|------------------|
| Messrs.: | Davis | Inzer | Sadler |
| Adams (Dale) | Denton | Kaul | Sellers |
| Adams (Jefferson) | Doughty | McClendon | Shelton |
| Beatty | Duffee | McDonald | Shirley |
| Benford | Dumas | Mason | Sightler |
| Brannan | Ganey | Meeks | Snodgrass |
| Brasseil | Garrett | Merrill | Still |
| Broadwater | George | Miller | Stone |
| Buckner | Gibson | Mitchell | Taylor (Autauga) |
| Busby | Gillis | O'Neal | Taylor (Hale) |
| Bush | Hankins | Ramey | Thompson (Pike) |
| Callahan | Head | Richardson | Wallace |
| Coburn | Howell | Roberts | Weaver |
| Cox | Ingalls | Rogers | Wood (Bibb) |
| Crocker | | | |

—56

And the bill:

S. 275. Governing the compensation of the Superintendent of Education of Limestone County.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

| | | | |
|-------------------|---------|------------|------------------|
| Messrs.: | Denton | Larkins | Sadler |
| Adams (Dale) | Duffee | McClendon | Sellers |
| Adams (Jefferson) | Dumas | McDonald | Shelton |
| Beatty | Faulk | McGowin | Shirley |
| Benford | Ganey | Mason | Sightler |
| Brannan | Garrett | Meeks | Still |
| Brassell | George | Merrill | Stone |
| Buckner | Gibson | Miller | Taylor (Autauga) |
| Busby | Gillis | Mitchell | Taylor (Hale) |
| Bush | Hankins | Pinson | Thagard |
| Callahan | Howell | Ramey | Thompson (Pike) |
| Coburn | Ingalls | Richardson | Tucker |
| Cox | Inzer | Roberts | Weaver |
| Crocker | Kaul | Robinson | Wood (Bibb) |
| Davis | | | |

—56

And the bill:

H. 640. To amend section six and section thirty-seven of an act approved July 10, 1940, entitled "An act to establish a county court of Jackson County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and the Probate Court of Jackson County, Alabama, to the Jackson County Court; and to provide for the transfer of certain cases pending in said Jackson County Court to the equity side of the Circuit Court of Jackson County, Alabama."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-----------------|
| Messrs.: | Denton | Howell | Roberts |
| Adams (Dale) | Duffee | Ingalls | Rogers |
| Adams (Jefferson) | Dumas | Kaul | Sadler |
| Beatty | Evans | Larkins | Sellers |
| Benford | Frasier | McClendon | Shelton |
| Black | Ganey | McDonald | Shirley |
| Brannan | Garrett | McDonald | Sightler |
| Brassell | George | Mason | Snodgrass |
| Broadwater | Gibson | Meeks | Still |
| Buckner | Gillis | Merrill | Stone |
| Busby | Givhan | Miller | Sullivan |
| Bush | Hankins | Mitchell | Taylor (Hale) |
| Callahan | Haynes (Franklin) | Molette | Thompson (Pike) |
| Coburn | Haynes (Lowndes) | Pinson | Weaver |
| Cox | Head | Ramey | Wood (Bibb) |
| Davis | Hornsby | Richardson | |

—62

And the bill:

S. 230. To propose an amendment to the Constitution of Alabama relating to Marion County; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the general election next succeeding the present session of the Legislature; and to provide for the expenses of holding said election.

Proposing an amendment to the Constitution, was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|------------------|
| Messrs.: | Dobbs (Fayette) | Ingalls | Robinson |
| Adams (Dale) | Duffee | Inzer | Rogers |
| Adams (Jefferson) | Dumas | Johnston | Sadler |
| Barnett | Dyar | Larkins | Sellers |
| Beatty | Evans | McClendon | Shelton |
| Benford | Faulk | McDanal | Shirley |
| Black | Frasier | McDonald | Sightler |
| Brannan | Ganey | McGowin | Snodgrass |
| Brassell | Garrett | Malone | Still |
| Broadwater | George | Mason | Stone |
| Buckner | Gibson | Meeks | Sullivan |
| Busby | Gillis | Merrill | Taylor (Autauga) |
| Bush | Givhan | Miller | Taylor (Hale) |
| Callahan | Hankins | Mitchell | Thagard |
| Coburn | Haynes (Franklin) | Molette | Thompson (Pike) |
| Cox | Haynes (Lowndes) | Pinson | Wallace |
| Crocker | Head | Ramey | Weaver |
| Davis | Hornsby | Richardson | Wood (Bibb) |
| Denton | Howell | Roberts | |

—74

And the bill:

H. 222. To establish a City Commission for the City of Phenix City, Alabama; to provide for the appointment and election of the President and Mayor and members thereof and to prescribe and fix their duties; powers and responsibility and to fix their compensation; to provide for a Clerk of said Commission, fix his duty and compensation; to provide for the election or appointment of a City Attorney and a City Treasurer and to provide for their duties and compensation; to authorize the employment of a City Manager by said Commission and to provide for the officers and employees of said City and repeal all laws in conflict with the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|-------------------|------------|----------|--------|
| Messrs.: | Benford | Busby | Davis |
| Adams (Dale) | Brannan | Bush | Denton |
| Adams (Jefferson) | Brassell | Callahan | Duffee |
| Barnett | Broadwater | Coburn | Dumas |
| Beatty | Buckner | Cox | Faulk |

| | | | |
|------------------|-----------|----------------|-------------------------|
| Frasier | Inzer | Molette | Sightler |
| Ganey | Johnston | O'Neal | Still |
| George | Larkins | Pinson | Stone |
| Gibson | McClendon | Ramey | Sullivan |
| Gillis | McDonald | Richardson | Taylor (Autauga) |
| Givhan | Malone | Roberts | Thagard |
| Hankins | Mason | Robinson | Thompson (Pike) |
| Haynes (Lowndes) | Meeks | Sadler | Wallace |
| Head | Merrill | Sellers | Weaver |
| Hornsby | Miller | Shelton | Wood (Bibb) |
| Howell | Mitchell | Shirley | |

—62

And the bill:

S. 277. To amend Section 4 of Act No. 228, approved August 23, 1927 (Local Acts of Alabama, 1927, p. 130), which Act established the Inferior Court of Tuscaloosa County.

Was read a third time at length and passed.

Yeas 55; Nays 0.

Yeas:

| | | | |
|-------------------|----------------|-----------------|-------------------------|
| Messrs.: | Duffee | Howell | Robinson |
| Adams (Dale) | Dumas | Ingalls | Sadler |
| Adams (Jefferson) | Evans | Inzer | Sellers |
| Beatty | Faulk | Larkins | Shelton |
| Benford | Frasier | McDonald | Shirley |
| Brassell | Ganey | Mason | Sightler |
| Broadwater | Garrett | Merrill | Taylor (Autauga) |
| Buckner | George | Miller | Taylor (Hale) |
| Busby | Gibson | Mitchell | Thagard |
| Bush | Gillis | Molette | Thompson (Pike) |
| Callahan | Givhan | Pinson | Wallace |
| Coburn | Hankins | Ramey | Ward |
| Cox | Head | Richardson | Weaver |
| Davis | Hornsby | Roberts | Wood (Bibb) |

—55

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 236. To amend Section 2 of Act 216, approved May 28, 1931, entitled, "An Act To preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district and the Judge of Probate of said county a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix their salaries, to repeal an act approved August 20, 1927, of the local acts of 1927 on page 234 thereof", by increasing the automobile allowance of the commissioners.

Also:

H. 464. To authorize and empower the Clerk of the Circuit Court of Escambia County, Alabama, to act as magistrate in tak-

ing affidavits for warrants for the arrest of persons charged with crimes in that county and to issue warrants of arrest based thereon, such warrants of arrest to be returnable to the Courts in said County having jurisdiction of the offense; to fix the fees for taking such affidavits, issuing such warrants and acting as such magistrate, and to provide that the same shall be taxed and collected as part of the costs in the case.

Also:

H. 498. To Place the Sheriff of Calhoun County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Calhoun County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Calhoun County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer.

Also:

H. 499. To Create a Purchasing Agent for Calhoun County, Alabama, to be composed of the Chairman of the Calhoun County Commission of said County, whose duty shall be to purchase books, stationery, blanks, machinery, supplies, materials, appliances and equipment for the several county officers, jails, court houses and other public buildings of said county under the supervision and control of the Calhoun County Commission; also the public roads and bridges of said County, and to define the powers and duties of said Purchasing Agent, and to fix his salary.

Also:

H. 500. To Provide for a Deputy Clerk of the Circuit Court of Calhoun County, and to fix his powers, duties and compensation.

Also:

H. 513. To Alter and Extend the Boundaries of the City of Birmingham, to Provide for an Election to Submit to the Qualified Voters of the Territory to be Annexed to said City of Birmingham for their approval or rejection of such Alterations and Extension.

Also:

H. 514. For the relief of Ruth E. Pugh and to authorize and direct the City of Birmingham to pay to said Ruth E. Pugh \$2,500 for injuries received when she was struck by a City of Birmingham fire truck.

Also:

H. 515. For the relief of Luther Tolson Donaldson, a minor twelve years of age, in the sum of \$2,200.00, in that on, to-wit, July 12, 1945, a duly authorized agent, servant, or employee of Jefferson County, Alabama, negligently drove a tractor into the said Luther Tolson Donaldson, a minor twelve years of age, and permanently and painfully injured him, at or near a point, to-wit, one half mile west of Price's Store, on the Glenwood Road, between Morris and Crosston, Jefferson County, Alabama.

Also:

H. 516. For the relief of Luther L. Donaldson, in the sum of \$300.00, covering actual loss and expense sustained by him as a proximate consequence of the negligence of an agent, servant or employee of Jefferson County, Alabama, while acting within the line and scope of his employment, in negligently driving a tractor into Luther L. Donaldson's minor son, Luther Tolson Donaldson, also into the automobile of Luther L. Donaldson on, to-wit, July 12, 1945, in Jefferson County, Alabama, about one mile west of Price's Store, on the Glenwood Road between Morris and Crosston, said sum covering actual damages to Luther L. Donaldson's said automobile, and actual expense sustained by him as a proximate consequence of medical expenses to his said minor son, **as aforesaid, loss of time from his work as a proximate consequence thereof, and damages to his said automobile.**

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Boutwell:

S. 288. To authorize the City of Birmingham, Alabama, for public use to construct, equip, maintain, and operate for compensation a public off-street automobile parking facility below the surface of that certain property in Birmingham, Alabama, known as Kelly Ingram Park, being situated on Block 44, Elyton Land Company's survey of Birmingham, and to use so much of said property known as Kelly Ingram Park as may be necessary or desirable for the construction, maintenance, or operation of such facility for the public.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that an application will be made to the Legislature of Alabama during its 1947 Regular Session for the passage of the following Bill:

A BILL TO BE ENTITLED:
AN ACT

To authorize the City of Birmingham, Alabama, for public use to construct, equip, maintain, and operate for compensation a public off-street automobile parking facility below the surface of that certain property in Birmingham, Alabama, known as Kelly Ingram Park, being situated on Block 44, Elyton Land Company's Survey of Birmingham, and to use so much of said property known as Kelly Ingram Park as may be necessary or desirable for the construction, maintenance, or operation of such facility for the public.

Be it enacted by the Legislature of Alabama:

Section 1. That the City of Birmingham, Alabama, is hereby authorized for public use to construct, equip, maintain, and operate for compensation a public off-street automobile parking facility below the surface of that certain property in Birmingham, Alabama, known as Kelly Ingram Park, being situated on Block 44, Elyton Land Company's Survey of Birmingham, and to use so much of said property known as Kelly Ingram Park as may be necessary or desirable for the construction, maintenance, or operation of such facility for the public.

AFFIDAVIT OF PUBLICATION

State of Alabama, ss,
County of Jefferson.

D. Fish personally appeared before me this 10 day of June 1947 and upon oath states that he is the bookkeeper of The Birmingham Post a newspaper of general circulation in the City of Birmingham, County of Jefferson, State of Alabama, and further declares that the attached advertisement is a true copy which appeared in the said Birmingham Post on the following dates, to wit: April 22, 29, May 6, 13 1947

DELMA A. FISII,

Bookkeeper, Birmingham Post.

Subscribed and sworn to before me this 10 day of June 1947

C. N. KICKER,

(SEAL)

Notary Public.

My Commission Expires March 30, 1950.

Also:

By Mr. Mize:

S. 291. To provide for the City of Tuscaloosa a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the city, defining violations of the Act, and imposing penalties for violations.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that application will be made at the present regular session of the Legislature of Alabama for the passage of a bill, which in substance will be as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the City of Tuscaloosa a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the city, defining violations of the Act, and imposing penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. APPLICATION.—This act shall apply to and have application in the City of Tuscaloosa only.

Section 2. DEFINITIONS.—As used in this Act, unless the context plainly indicates a different meaning, the following words, terms and phrases shall have the meanings respectively ascribed to them: "city" means the City of Tuscaloosa; "employee" means any person (including the head of departments) who is employed in the service of the city on a regular monthly salary, with the exception of elected officers, the municipal recorder or judge, the attorney who prosecutes in the court of the municipal recorder or judge, school teachers and all other employees of the city board of education, the administrator and all other employees of any city owned or operated hospital, and the director of recreation and all employees of the city recreation board, "board" means the civil service board created by this Act; "head of department" will include the chief of the police department, the chief of the fire department, city clerk, city engineer, city attorney, and superintendent of Water Works. Words used in the masculine gender include the feminine and neuter; the singular includes the plural, and the plural the singular.

Section 3. CIVIL SERVICE SYSTEM.—All employees of the city as herein defined shall be subject to civil service rules and regulations prescribed in this Act or promulgated pursuant to Section 8 hereof and administered by the civil service board, the creation of which is provided for in Section 4 hereof. Present employees and those which may hereafter be employed shall remain in their respective employments during good behavior, efficiency, and obedience to such rules and regulations as may, from time to time, be prescribed by the board; but nothing herein shall be construed to prevent or preclude the removal of an employee for cause in the manner hereinafter provided; however, no present employees shall be subject to any examination in order to hold his present position.

Section 4. CIVIL SERVICE BOARD.—There is created the Civil Service Board of Tuscaloosa, which shall be composed of three members designated respectively as Member No. 1, Member No. 2 and Member No. 3, each of whom shall be over twenty-five years of age, of recognized character and ability, and an actual resident in and a qualified elector of said city. No person shall be eligible to be a member of the board who holds any civil office of profit under the city, county or state. Immediately after the passage of this Act, Members No. 1, 2 and 3 shall be appointed by the Governor of Alabama, by and with the advice and consent of the Senate. Until such Members No. 1, 2 and 3 are all appointed and have all qualified, the present members of the Civil Service Board of Tuscaloosa created by Act No. 596, approved August 4, 1931, will serve in the capacity of and will exercise the powers of the board created herein. Member No. 1 shall hold office

for a term from the date of his appointment and qualification to May 15, 1949, and until his successor is appointed and has qualified. Member No. 2 shall hold office for a term from the date of his appointment and qualification to May 15, 1951, and until his successor is appointed and has qualified. Member No. 3 shall hold office for a term from the date of his appointment and qualification to May 15, 1953, and until his successor is appointed and has qualified. Their successors shall be appointed by the Governor of Alabama, by and with the advice and consent of the Senate, and shall respectively hold office for terms of six years, beginning on May 15 of the appropriate odd-numbered year, and until their successors shall be appointed and qualified. Vacancies occurring from death or resignation shall be filled by the Governor, and such appointee shall hold office until the next meeting of the Legislature. A vacancy on the board shall be filled by appointment for the unexpired term. Any member of said board whose term shall expire shall be eligible for reappointment. The board shall meet once a month in the City Hall on a date and at an hour to be fixed by its rules and regulations, and as much more often as shall be necessary for the orderly dispatch of its business. Two members of said board shall constitute a quorum.

Section 5. QUALIFICATION BY MEMBER.—Every person who shall be appointed as a member of such civil service board according to the provisions of this Act shall within fifteen days thereafter qualify by making oath that he is eligible for said office and will execute the duties of the same according to his best knowledge and ability. Such oath shall be administered by any person authorized to administer oaths or by any member of the Commission Board of such city, and a copy thereof filed with the city clerk.

Section 6. COMPENSATION.—The compensation of each board member shall be two hundred dollars per annum, payable quarterly by the city.

Section 7. RECORDS OF THE BOARD.—The board shall keep minutes of its meetings and a record of all business transacted by it. Its records, except those the rules of the board require to be held confidential for reasons of public policy, shall be open for inspection by any resident of the city at all reasonable times. The city clerk shall act as the custodian of the records of the board and will furnish such clerical assistance as may be requested of him by the board.

Section 8. POWERS OF THE BOARD.—The board shall make rules and regulations to carry out the purposes of this Act, and for examinations, appointments and removals in accordance with its provisions, and the board may, from time to time, make changes in the existing rules. The heads of departments shall recommend for promotion such person or persons as the occasion may call for to fill any vacancy or vacancies that may occur in their said respective departments. All such vacancies shall be filled and all such promotions shall be made by the board. The board may make rules and regulations relating to the eligibility for promotion. The board shall have power to appoint personnel necessary for its work and to delegate to such personnel such duties and powers as may be practicable. The board shall : 1) classify the different types of service to be performed in the service of the city; 2) prescribe qualifications, including those of education, training and experience, for the appointees and incumbents of each class; 3) subject to approval by the city governing body, fix a maximum and minimum salary for each class; and 4) allocate each position in the service of the city to its proper class. The board shall establish rules and regulations governing dismissals, suspensions, layoffs, terminations and leaves of absence, and the severance of an employee's relationship with the city shall be in accordance with such rules and regulations. Except in connection with a reduction in force, demotions, suspensions, discharges, and removals herein provided for, as a general decrease in the salary of all employees, no employee's regular salary or compensation may be reduced without approval of the board. All employees shall be appointed upon a nonpartisan merit basis. There shall not be appointed, and the board shall not examine, any person who is not a citizen of the United States, or one who has been convicted of a felony or an offense involving moral turpitude. In the event a reduction in force becomes

necessary in any department of the city, the order of layoff shall be inverse to the order of appointment.

Section 9. APPOINTMENTS.—The board shall make and keep a register of all persons eligible and available for appointment to each class of position in the service of the city, and all appointments shall be made from such eligible list. Layoffs available for re-employment shall be placed at the head of the proper present and subsequent eligible registers in the inverse order of their terminations. Employees who voluntarily terminate their services may be granted re-employment status upon proper eligible registers under such circumstances and in such manner as may be provided for in the board's rules and regulations, subject, however, to stipulations of this Section concerning layoffs. Persons desiring appointment may file applications with the board, and the board shall, from time to time, conduct examinations to test the ability of such applicants. All applicants shall be examined, and examinations shall be public, competitive, and subject to limitations specified by the board as to age, residence, health, height, weight, habits, moral character, and other factors pertinent to ability to discharge the duties of the position, open to all citizens of the United States. Examinations shall be practical in character and shall relate to those matters which test the ability of the person examined to discharge intelligently the duties of the position for which he applies. In no case shall an appointment be made from an eligible register which is more than two years old. An honorably discharged veteran of the armed forces of the United States who served during the period of a war or the widow of such a veteran shall have five points added to his rating on examination. Any such veteran who has a service-connected disability and because of such disability is entitled to compensation from the United States, or his wife if he is not qualified for city employment, or the widow of any person who died during or was killed as a result of his service in the armed forces of the United States during the period of a war, shall have ten points added to his examination rating.

Section 10. APPLICATIONS FOR EMPLOYMENT.—All applicants for employment by the city shall file their applications in writing with the board, said applications to be on the blank forms furnished by the board. The board shall control all examinations, and whenever an examination is to take place shall conduct such examination. Each applicant for examination shall pay to the city clerk the sum of five dollars, and the receipt therefor shall be attached to his application.

Section 11. VACANCIES.—The city governing body shall notify the board of vacancies which occur in any department, and the board shall furnish to him the name and address, or names and addresses, of the candidate or candidates standing highest on the eligible list, and the said candidate or candidates shall receive the appointment or appointments to fill such vacancy or vacancies. All appointments shall be on probation for a period of six months from the date of appointment. Before the expiration of the period of probation, the head of the department concerned may, by and with the consent of the board, discharge any probationer upon assigning in writing his reasons therefor to the board. If a probationer be not discharged before the expiration of said probation period, his appointment shall be deemed complete.

Section 12. DEMOTIONS OR SUSPENSIONS.—A department head shall have authority in his respective department to demote any subordinate employee by and with the consent and approval of the board, provided, however, that upon written demand filed with the board within five days from the date of the order of demotion the person whom it is proposed to demote shall be given a public hearing by the board before any order of demotion shall be final. A department head shall have authority to suspend any subordinate employee in his respective department pending the hearing by the board. A department head employee may be similarly suspended or demoted by the city governing body and shall have the same right of hearing.

Section 13. REMOVALS AND DISCHARGES.—No permanent employee shall be removed or discharged except for cause, upon charges filed

with and decided by the board, and after an opportunity has been given him to face his accusers and to be heard in his own defense. Written charges may be filed against any such employee by the governing body of the city or by any member thereof or may be filed by any department head as to any subordinate employee in his department by filing a written statement of such charges with the board or any member thereof.

Charges against any department head or any employee may be filed by any resident citizen of the city as follows: the charges must be in writing, must set forth succinctly the matters complained of, and must be sworn to before any member of the board or before any person authorized to administer oaths. Upon the receipt of such charges, the board, after due consideration, shall determine whether in its opinion it considers that the good of the service will be served by a trial thereon; and, if not, such charges may be dismissed by the board. If in the judgment of the board such charges are of a minor nature and are against an employee other than the head of a department, such charges may be referred by the board to the proper department head who shall make an investigation of the charges and make his recommendation to the board as to what disciplinary action, if any, should be taken. After such recommendation is made by the department head and after due notice is given to the affected employee of the receipt of such recommendation and the contents thereof, the board may, in its discretion, adopt and order executed the action recommended by the department head or any part thereof. However, if the complainant or the affected employee, or both of them, objects to the recommendation of the department head, the board shall hold a public hearing *de novo* on the charges, and take such disciplinary action as in their judgment is warranted by the evidence and under the law.

All hearings before the board shall be open to the public, provided that when a waiver of a public hearing in writing, and signed by the complainant and the affected employee, is filed with the board, the public may, in the discretion of the board, be excluded. All testimony given in all hearings before the board shall be taken down in shorthand by a stenographer. In all cases, the decision of the board shall be reduced to writing and entered in the record of the case.

In all proceedings before the board, the city attorney may appear and prosecute all charges instituted by the city governing body or any member thereof or by any department head, when requested or directed to do so by such city governing body. It shall not be the duty of the city attorney to prosecute any charges brought by a private citizen. In all proceedings before the board, the city attorney may appear and represent the interests of the city, and he shall also give such legal advice and legal assistance to the board as may be requested by it.

If any employee against whom charges are pending willfully fails or refuses to attend the hearing of such charges before the board, the board may proceed with the hearing in his absence and take action on the charges the same as if he were present. The board, its specially authorized representatives, and each member of the board shall have the power to administer oaths, take depositions, certify official acts, and issue subpoenas to compel the attendance of witnesses and production of papers necessary as evidence in connection with any hearing, investigation, or proceeding within the purview of this Act. In case a person refuses to obey such subpoena, the board or its representative may invoke the aid of any circuit court in order that the testimony or evidence be produced. Upon proper showing, such court shall issue a subpoena or order requiring the person to appear before the board or its representative and produce all evidence and give all testimony relating to the matter in issue. A person who fails to obey such subpoena order may be punished by the court as for contempt. The fees of witnesses for attendance and travel shall be the same as fees for witnesses in the circuit courts of this State, which fees shall be paid from the city treasury.

Section 14. REVIEW OF DECISION AND APPEALS.—Any party, including the city governing body, aggrieved by a final decision of the board, is entitled to a review of such decision by filing a petition in the Circuit

Court of Tuscaloosa County, Alabama, within ten days after such final decision is rendered. Upon the filing of any such petition, notice thereof shall be served upon the chairman of the board by the petitioner. Such petition shall be heard by the court at the earliest practicable date. Review by the court shall be without a jury and confined to the record, including a transcript of the evidence. The court may, upon such terms and conditions as it shall deem proper, at any time before the hearing of the petition, permit the taking of additional evidence before the board and allow modification of the board's findings and final decision. The court, upon a hearing of the petition, shall have power to affirm or reverse and render or to remand the matter to the board for further proceedings consistent with the judgment of the court. However, the court shall affirm the decision of the board unless it finds that the substantial rights of the petitioner have been prejudiced because the final decision of the board was: 1) unsupported by substantial evidence in the record submitted; 2) in excess of the authority conferred by this Act on the board; 3) violative of constitutional provisions; 4) arbitrary or capricious; or 5) affected otherwise by substantial error or injustice. An appeal may be taken from any final judgment of such court to the Court of Appeals of Alabama or the Supreme Court of Alabama as now provided by law.

Section 15. POLITICAL ACTIVITIES PROHIBITED.—No person shall be appointed or promoted to, or dismissed from any position, or in any way favored or discriminated against with respect to employment because of his political or religious opinions or affiliations. No person shall seek or attempt to use any political endorsement in connection with any appointment to a position. No employee and no member of the board shall, directly or indirectly, pay or promise to pay any assessment, subscription or contribution for any political organization or purpose, or solicit or take any part in soliciting any such assessment, subscription or contribution of any employee. No employee shall be a member of any national, state, or local committee of a political party, or an official of a partisan political club, or a candidate for nomination or election to any public office, nor shall he take any part in the management or affairs of any political party or in any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote. Any employee, under the jurisdiction of this Act, who violates any of the foregoing provisions of this Section shall forfeit his office or position or shall suffer such other disciplinary punishment as the board may direct.

Section 16. PENALTIES.—The violation by any employee under the jurisdiction of this Act of any provision in this Act or of any of the rules or regulations issued by the board in pursuance thereof, shall constitute an offense for which charges may be preferred against such employee as hereinafter provided, and if such charges are sustained by the board after a notice and hearing as hereinabove provided, such employee may be discharged or lesser disciplinary action taken against him. The board may in its discretion also decline to reappoint such employee who has been discharged for such cause to any position in the city for a term of one year. The board may on its own motion institute charges against an employee for the violation of any of the provisions of this Act or of any of the rules or regulations issued in pursuance thereof.

Section 17. SPECIAL POLICE OFFICERS AND TEMPORARY APPOINTMENTS.—The civil service board may, in an emergency, or in cases where it deems proper, authorize the chief of police to appoint for temporary service such number of police officers as in the opinion of the Commission Board of such city the existing conditions demand. All officers so appointed shall be furnished with badges, said badges to be different in size and design from the regulation badges used by the regular members of the police and detective force, and must have the words "Special Officer" across the face of them in large letters. The chief of police shall furnish the board with the names and addresses of all persons to whom he has issued special badges, and at the expiration of their appointment shall cause all such badges to be taken up. From and after the going into effect of this Act,

all outstanding commissions conferring police authority issued to persons other than those who are members of the police department of such city shall become cancelled and void: and thereafter it shall be unlawful for any person to have in his possession any such commission or any badge of a police officer of such city unless same has been issued to him with the approval of the civil service board.

The board may, in an emergency or in cases where it deems proper, authorize the city governing authority or the head of any department to appoint for temporary service such number of salaried employees (including part-time employees) as in the opinion of the board the existing conditions require.

Section 18. CHAIRMAN OF THE BOARD.—The board shall erect one of its members as chairman who shall hold office as such chairman at the pleasure of the board. All meetings of the board shall be held in the City Hall unless otherwise provided by such board.

Section 19. PRINTING REGULATIONS.—The board shall, within ninety days after appointment and qualification of the members thereof, adopt and have printed such rules and regulations, in accordance with the provisions of this Act, as it may deem proper. Said rules and regulations and all amendments thereafter adopted shall be kept on file by the city clerk and open for public inspection. No amendment thereto shall become effective until notice of its adoption has been given for thirty days by posting a copy of the same in the vestibule of the City Hall.

Section 20. CONSTITUTIONALITY.—Each section of this Act and each part of each section are hereby declared to be independent sections and parts of sections, and if any section, sentence, clause or provision of this Act shall be held or declared to be unconstitutional or void, it shall not affect or destroy the validity or constitutionality of any other section, sentence, clause or provision of this Act which is not of itself void or unconstitutional. If this Act or its enforcement by the board shall be called into question in any judicial proceedings, or if any person shall fail or refuse to comply with the lawful orders of said board, such board may employ counsel to represent it in sustaining this Act or the enforcement thereof, and the compensation of such counsel shall be paid by the city.

Section 21. EFFECTIVE DATE.—That this Act shall take effect immediately upon its approval by the Governor, or upon its otherwise becoming a law under Section 125 of the Constitution.

Section 22. INCONSISTENT LAWS REPEALED.—All laws or parts of laws, whether general, special, or local, and whether codified or uncodified, inconsistent herewith are hereby repealed.

HENRY H. MIZE,

7, 14, 21, 28-4tc State Senator From The 11th Senatorial District.

I hereby certify that the attached notice was published in The Tuscaloosa News once a week for four consecutive weeks; viz, June 7, 14, 21, 28, 1947.

KARL S. ELEBASH, JR.,

Editor.

Subscribed and sworn to before me on this the 28th day of June, 1947.

LILLA COLLINS,

Notary Public.

Also:

By Mr. Patton:

S. 299. To amend Sections 3 and 4 of an Act entitled "An Act to create the office of County Solicitor of Limestone County, Alabama, to provide for the election of such officer by the qualified voters of said county, to prescribe his powers, duties and qualifications, provide for his compensation, fix the term of his office, provide for his election, the time of the election of his suc-

cessor and to repeal all general and local laws in conflict herewith so far as they relate to said county" approved June 26, 1931.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

This is to notify the voters of Limestone County, Alabama, that it is the intention of the undersigned to introduce the following local bill during the regular session of the 1947 Legislature.

David U. Patton, Senator,
Bunyan D. Broadwater, Representative.

A BILL TO BE ENTITLED AN ACT

To amend Sections 3 and 4 of an Act entitled "An Act to create the office of County Solicitor of Limestone County, Alabama, to provide for the election of such officer by the qualified voters of said county, to prescribe his powers, duties and qualifications, provide for his compensation, fix the term of his office, provide for his election, the time of the election of his successor and to repeal all general and local laws in conflict herewith so far as they relate to said county" approved June 26, 1931.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 3 and 4 of an Act entitled "An act to create the office of County solicitor of Limestone County, Alabama, to provide for the election of such officer by the qualified voters of said county, to prescribe his powers, duties and qualifications, provide for his compensation, fix the term of his office, provide for his election, the time of the election of his successor and to repeal all general and local laws in conflict herewith so far as they relate to said county" approved June 26, 1931, be amended so as to read as follows: "Section 3: The office of County Solicitor hereby created shall be clothed with the power and shall be charged with the duty to represent the State in all preliminary trials, in all the Courts of Limestone County, and to represent the State in all habeas corpus proceedings where said causes are tried at the County seat; to assist and advise with the Circuit Clerk in preparing the grand jury docket of said County; to assist the Circuit Solicitor before each session of the grand jury of said County; to act for the circuit solicitor before any such session of the grand jury of said County when necessary or when directed by the Circuit Solicitor; to attend and assist in the prosecutions of all criminal cases in the Circuit Court; and when requested by the Judge of any Court of said County possessing Juvenile jurisdiction, to attend sessions of such Court to represent the interest of the State of Alabama; and he shall, also, whenever requested so to do by the sheriff, assist the sheriff in investigations of crimes committed in Limestone county, Alabama; Section 4: The County Solicitor of Limestone County, Alabama, shall be paid a salary of One thousand and eight hundred dollars (\$1,800) per annum, which salary shall be paid out of the general fund of the county in equal monthly installments as the salaries of county employees are paid."

Section 2. This act shall take effect on the first day of the calendar month next succeeding its passage and approval by the Governor, or its otherwise becoming law.

State of Alabama,
Limestone County

Before me, the undersigned authority in and for said State and County, personally appeared Steele McGrew, who being first duly sworn, deposes and says that he is the Editor and Publisher of the Alabama Courier, a weekly newspaper of general circulation published in Limestone County, Alabama; that the above and foregoing notice was published once a week for four (4) consecutive weeks in said Alabama Courier, on to wit: June 19, June 26, July 3, and July 10, 1947, without cost to the State of Alabama.

STEELE MCGREW.

Sworn to and subscribed to before me, this the 12 day of July, 1947.

HARRY TAFT,

(SEAL)

Notary Public, Limestone County, Alabama.

Also:

By Mr. Boutwell:

S. 289. To authorize the City of Birmingham, Alabama, for public use to construct, equip, maintain, and operate for compensation a public off-street automobile parking facility below the surface of that certain property in Birmingham, Alabama, known as Woodrow Wilson Park, and to use so much of said property known as Woodrow Wilson Park as may be necessary or desirable for the construction, maintenance; or operation of such facility for the public.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that an application will be made to the Legislature of Alabama during its 1947 Regular Session for the passage of the following Bill:

A BILL TO BE ENTITLED: AN ACT

To authorize the City of Birmingham, Alabama, for public use to construct, equip, maintain, and operate for compensation a public off-street automobile parking facility below the surface of that certain property in Birmingham, Alabama, known as Woodrow Wilson Park, and to use so much of said property known as Woodrow Wilson Park as may be necessary or desirable for the construction, maintenance, or operation of such facility for the public.

Be it enacted by the Legislature of Alabama:

Section 1 That the City of Birmingham, Alabama, is hereby authorized for public use to construct, equip, maintain, and operate for compensation a public off-street automobile parking facility below the surface of that certain property in Birmingham, Alabama, known as Woodrow Wilson Park, and to use so much of said property known as Woodrow Wilson Park as may be necessary or desirable for the construction, maintenance, or operation of such facility for the public.

AFFIDAVIT OF PUBLICATION

State of Alabama, ss,
County of Jefferson.

D. Fish personally appeared before me this 10 day of June 1947 and upon oath states that he is the bookkeeper of The Birmingham Post a newspaper of general circulation in the City of Birmingham, County of Jefferson, State of Alabama, and further declares that the attached advertisement is a true copy which appeared in the said Birmingham Post on the following dates, to wit: April 22, 29 May 6, 13 1947

DELMA A. FISH,
Bookkeeper, Birmingham Post.

Subscribed and sworn to before me this 10 day of June 1947

C. N. KICKER,
Notary Public.

(SEAL)

My Commission Expires March 30, 1950.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which is set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

- S. 288. Local Legislation
- S. 291. Local Legislation
- S. 299. Local Legislation
- S. 289. Local Legislation

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bills, to wit;

H. 214. To provide equality and prevent inequality in the levy and collection of taxes applicable to or paid by the Banks doing business in the State of Alabama.

Also:

H. 269. To regulate the office of sheriff in counties of 400,000 population or over according to the last Federal census or any subsequent Federal census, to exempt the sheriffs of such counties from court costs; to exempt sheriffs from liability for the acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of sheriffs, and to provide for the payment of the premium on the sheriffs and deputies bonds out of the county treasury; authorizing the sheriff to employ an attorney to advise and rep-

resent him, whose compensation is to be fixed by the board of revenue or like governing body and paid out of the general fund; and providing when and where this act shall become effective.

Also:

H. 372. Relating to sentences imposed by the Recorder's Court of Birmingham, Alabama; and, without limiting the generality of the foregoing, to provide for the suspension of execution, the execution after suspension, and the remission of, such sentences or any part thereof.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

(With substitute):

H. 2. To provide for the establishment, maintenance, and operation of regional trade schools.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

Ways & Means Committee Substitute H. 2.

A BILL, TO BE ENTITLED AN ACT

To provide for the establishment, maintenance, and operation of regional vocational and trade schools.

WHEREAS the development of facilities for training youth in handicrafts, industrial arts, and trades has been long neglected, and as a consequence thereof the South has not kept pace with other sections of the Nation in industrial development, and

WHEREAS the craftsmen, artisans, and skilled mechanics essential to the promotion of an industrial economy cannot be supplied unless conveniently located training centers are provided, and

WHEREAS the promises to veterans for vocational and rehabilitation training under the "G.I. Bill of Rights" have not been

fulfilled due to the lack of adequate and properly located facilities, and

WHEREAS there are suitable surplus military installations, buildings, sites, equipment, machinery, and supplies belonging to the United States which are available for educational purposes, therefore

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Board of Education shall establish and maintain regional trade schools for the purpose of training young men and women in useful occupations and in the arts and sciences. The State Board of Education shall have authority to purchase or lease buildings, land, equipment, machinery, and supplies necessary for the teaching of trade courses. The State Board of Education is authorized and whenever possible is directed to negotiate leases or purchases with the War Assets Administration or other agencies of the United States for the lease or purchase of suitable facilities, equipment, machinery and supplies.

Section 2. The schools to be established under this Act shall be constructed, leased, equipped, improved, enlarged, operated, and maintained from funds appropriated for that purpose by an Act levying a two per cent tax on sales of spirituous or vinous liquors by the Alabama Alcoholic Beverage Control Board. At least one school, which shall be similar to the Alabama School of Trades at Gadsden, shall be established, or the construction thereof commenced, during each of the fiscal years 1947-48, 1948-49, 1949-50, and 1950-51. Any construction shall be under the supervision of the State Building Commission, subject to the provisions of Section 3.

Section 3. The State Board of Education, upon the recommendation of the State Superintendent of Education, shall designate the site for each of the trade schools and determine the order in which the schools shall be established. It must devote the entire proceeds of the two per cent liquor tax, levied for the purpose of this Act, received by it during a fiscal year to the establishment of the school required to be established during that year, except that, of the appropriation for each year, seventy-five thousand dollars (\$75,000) thereof shall be reserved as a fund for operating and maintaining such school. Each school shall be located in a different section of the State and so situated that every part of the State is within as close a radius as is reasonably possible to one of the schools or the Alabama School of Trades at Gadsden. No more than one trade school shall be located in a single congressional district.

Section 4. The authority to manage and control the trade schools is vested in the State Board of Education. The State Board of Education, upon the recommendation of the State Superintendent of Education, shall: make rules and regulations for the government of the trade schools; prescribe the courses of study to be

offered and the conditions for granting certificates or diplomas; appoint the president of each trade school and, upon the president's recommendation, appoint the members of the faculty and fix the tenure and salary of each; direct and supervise the use of legislative appropriations for the use of the trade schools; accept gifts, donations, devises, and bequests of money and real and personal property for the purposes of this Act; disseminate information concerning and promote interest in the trade schools among the pupils of the public schools; and provide a means whereby students may earn, if necessary, all or a portion of their tuition, board, and lodging. It is further provided that the trade schools shall be managed and conducted in such a manner so as to be accredited as suitable institutions for veteran vocational and rehabilitation training programs sponsored by the United States.

Section 5. There shall be an advisory council for each trade school consisting of four members appointed by the Governor to serve at the pleasure of the State Board of Education. The Governor shall designate one member as chairman. It shall be the duty of the council, under the supervision of the State Board of Education, to promote interest in the school and to cooperate with the State Board of Education and other State agencies in developing the regional trade school program.

Section 6. This Act shall be known as the "Regional Vocational and Trade Schools Act."

And the substitute reported by the Standing Committee on Ways and Means was adopted.

Yeas 69; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|------------|------------------|
| Mr. Speaker | Doughty | Inzer | Roberts |
| Adams (Dale) | Duffee | Kaul | Robinson |
| Adams (Jefferson) | Dumas | Larkins | Sellers |
| Barnett | Faulk | McClendon | Shelton |
| Beatty | Ganey | McDanal | Shirley |
| Bentford | Garrett | McDonald | Sightler |
| Black | George | Malone | Snodgrass |
| Brannan | Gibson | Mason | Still |
| Brassell | Gillis | Meeks | Stone |
| Broadwater | Givhan | Merrill | Sullivan |
| Buckner | Hankins | Miller | Taylor (Autauga) |
| Busby | Harris | Mitchell | Taylor (Hale) |
| Bush | Haynes (Franklin) | Molette | Thagard |
| Callahan | Haynes (Lowndes) | O'Neal | Wallace |
| Cox | Head | Pinson | Ward |
| Crocker | Hornsby | Ramey | Weaver |
| Davis | Howell | Richardson | Wood (Bibb) |
| Denton | | | |

—69

Nays: Mr. Sadler.

—1

And said bill, H. 2, as thus amended by the substitute reported by the Standing Committee on Ways and Means, was read a third

time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 4.

Yeas:

| | | | |
|-------------------|-------------------|------------|------------------|
| Mr. Speaker | Denton | Inzer | Shelton |
| Adams (Dale) | Doughty | Larkins | Shirley |
| Adams (Jefferson) | Duffee | McClendon | Sightler |
| Barnett | Dumas | McDanai | Snodgrass |
| Benford | Faulk | McDonald | Still |
| Black | Ganey | Malone | Stone |
| Brannan | Garrett | Mason | Sullivan |
| Brassell | George | Merrill | Taylor (Autauga) |
| Broadwater | Gillis | Miller | Taylor (Hale) |
| Buckner | Givhan | Mitchell | Thompson (Pike) |
| Busby | Hankins | O'Neal | Tucker |
| Bush | Harris | Pinson | Wallace |
| Callahan | Haynes (Franklin) | Ramey | Ward |
| Cox | Haynes (Lowndes) | Richardson | Weaver |
| Crocker | Head | Roberts | Wood (Bibb) |
| Davis | Howell | Sellers | —63 |

Nays: Messrs. Johnston, Kaul, Sadler, Thagard.

—4

PAIRS ANNOUNCED

Mr. McGowin announced that he was paired with Mr. Harrison. If Mr. Harrison was present he would vote yea and Mr. McGowin would vote nay.

Mr. Gibson announced that he was paired with Mr. McIlwain. If Mr. McIlwain was present he would vote nay and Mr. Gibson would vote yea.

Mr. Ingalls announced that he was paired with Mr. Thomas. If Mr. Thomas was present he would vote yea and Mr. Ingalls would vote nay.

MOTION TO RECONSIDER H. 2 LAID ON TABLE

The motion of Mr. Wallace to table his motion to reconsider the vote by which the bill, H. 2, as amended, was passed, was adopted.

BILLS ON THIRD READING RESUMED

H. 158. To repeal Section 2 of the Act entitled "An Act, To provide for the Blood Testing for Syphilis of all persons residing in Alabama, and to appropriate not to exceed \$75,000.00, annually to carry out the terms of this act.", approved July 7, 1943.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|------------------|
| Mr. Speaker | Dumas | Lovelace | Sadler |
| Adams (Dale) | Faulk | McClendon | Sellers |
| Adams (Jefferson) | Ganey | McDonald | Shelton |
| Barnett | Garrett | McGowin | Shirley |
| Beatty | George | McIlwain | Sightler |
| Benford | Gibson | Mason | Snodgrass |
| Brannan | Gillis | Meeks | Still |
| Brassell | Givhan | Merrill | Stone |
| Broadwater | Hankins | Miller | Sullivan |
| Buckner | Harris | Mitchell | Taylor (Autauga) |
| Busby | Haynes (Franklin) | Molette | Taylor (Hale) |
| Bush | Haynes (Lowndes) | O'Neal | Thagard |
| Callahan | Head | Pinkston | Thompson (Pike) |
| Coburn | Howell | Pinson | Tucker |
| Cox | Ingalls | Ramey | Wallace |
| Crocker | Inzer | Richardson | Ward |
| Denton | Johnston | Roberts | Weaver |
| Doughty | Kaul | Robinson | Wood (Bibb) |
| Duffee | Larkins | | |

—74

And the bill:

S. 120. To amend Sections 1 and 2 of Act No. 529, Regular Session, 1943, relating to the blood testing for syphilis of all persons residing in Alabama, approved July 1, 1943.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|------------------|
| Mr. Speaker | Duffee | Lovelace | Sadler |
| Adams (Dale) | Dumas | McClendon | Sellers |
| Adams (Jefferson) | Faulk | McDonald | Shelton |
| Barnett | Ganey | McGowin | Shirley |
| Beatty | Garrett | McIlwain | Sightler |
| Benford | George | Mason | Snodgrass |
| Brannan | Gibson | Meeks | Still |
| Brassei | Gillis | Merrill | Stone |
| Broadwater | Givhan | Miller | Sullivan |
| Buckner | Hankins | Mitchell | Taylor (Autauga) |
| Busby | Harris | Molette | Taylor (Hale) |
| Bush | Haynes (Franklin) | O'Neal | Thagard |
| Callahan | Haynes (Lowndes) | Pinkston | Thompson (Pike) |
| Coburn | Howell | Pinson | Tucker |
| Cox | Inzer | Ramey | Wallace |
| Crocker | Johnston | Richardson | Ward |
| Davis | Kaul | Roberts | Weaver |
| Denton | Larkins | Robinson | Wood (Bibb) |
| Doughty | | | |

—74

And the bill:

S. 89. To repeal Section 5 of the Act entitled "An Act, To provide for the examination and audit by the Division of Examiners of Public Accounts of State of Alabama offices, bureaus, boards, commissions, agencies, institutions, and departments and county offices; to require the Division to prescribe and enforce

uniform accounting and reporting systems for such State offices, bureaus, institutions, boards, commissions, agencies and departments and county offices; and to appropriate such a sum as may be necessary to carry out the provisions of the act and the expenses incurred thereunder.", approved June 29, 1945.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|------------------|
| Mr. Speaker | Faulk | McClendon | Robinson |
| Adams (Dale) | Ganey | McDanal | Sadler |
| Adams (Jefferson) | Garrett | McDonald | Sellers |
| Barnett | George | McGowin | Shelton |
| Beatty | Gibson | McIlwain | Shirley |
| Benford | Givhan | Mason | Snodgrass |
| Brassell | Hankins | Meeks | Still |
| Broadwater | Harris | Merrill | Stone |
| Buckner | Haynes (Franklin) | Miller | Sullivan |
| Busby | Haynes (Lowndes) | Mitchell | Taylor (Autauga) |
| Bush | Head | Molette | Taylor (Hale) |
| Callahan | Howell | O'Neal | Thagard |
| Coburn | Ingalls | Pinkston | Thompson (Pike) |
| Cox | Inzer | Pinsoz | Tucker |
| Crocker | Johnston | Ramey | Wallace |
| Davis | Kaul | Richardson | Ward |
| Denton | Larkins | Roberts | Weaver |
| Duffee | Lovelace | | |

—70

H. 77 INDEFINITELY POSTPONED

On motion of Mr. McGowin the bill, H. 77, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

S. 71. To repeal the Act entitled "An Act, To provide for the transfer of any surplus over and above \$1,750,000.00 in the State Treasury to the credit of the General Fund, after the payment of all appropriations now or hereafter made payable from said fund, for each of the fiscal years ending September 30, 1946, and September 30, 1947, to the Minimum Program Fund for expenditure during the fiscal year next succeeding the fiscal year in which said surplus accrues, in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund.", approved June 12, 1945.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|---------|------------|---------|
| Mr. Speaker | Barnett | Brannan | Buckner |
| Adams (Dale) | Beatty | Brassell | Busby |
| Adams (Jefferson) | Benford | Broadwater | Bush |

| | | | |
|----------|------------------|------------|------------------|
| Callahan | Givhan | McGowin | Sellers |
| Coburn | Hankins | Mason | Shelton |
| Cox | Harris | Meeks | Shirley |
| Crocker | Haynes (Lowndes) | Merrill | Snodgrass |
| Davis | Head | Miller | Still |
| Denton | Howell | Mitchell | Sullivan |
| Doughty | Ingalls | Molette | Taylor (Autauga) |
| Duffee | Inzer | O'Neal | Taylor (Hale) |
| Dumas | Johnston | Pinkston | Thagard |
| Faulk | Kaul | Pinson | Thompson (Pike) |
| Ganey | Larkins | Ramey | Tucker |
| Garrett | Lovelace | Richardson | Wallace |
| George | McClendon | Roberts | Ward |
| Gibson | McDanal | Robinson | Weaver |
| Gillis | McDonald | Sadler | |

—71

H. 8 INDEFINITELY POSTPONED

On motion of Mr. McGowin the bill, H. 8, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

S. 68. To repeal the Act entitled "An Act, to provide for the use, during the ensuing fiscal year, of any surplus which remains in the state treasury to the credit of the Alabama Special Educational Trust Fund at the close of each fiscal year after all appropriations have been paid in full.", approved June 23, 1945.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|------------------|
| Mr. Speaker | Duffee | Larkins | Roberts |
| Adams (Dale) | Dumas | Lovelace | Robinson |
| Adams (Jefferson) | Faulk | McClendon | Sadler |
| Barnett | Ganey | McDanal | Sellers |
| Beatty | Garrett | McDonald | Shelton |
| Benford | George | McGowin | Shirley |
| Brannan | Gibson | McIlwain | Snodgrass |
| Brassell | Gillis | Mason | Still |
| Broadwater | Givhan | Meeks | Sullivan |
| Buckner | Hankins | Merrill | Taylor (Autauga) |
| Busby | Harris | Miller | Taylor (Hale) |
| Bush | Haynes (Lowndes) | Mitchell | Thagard |
| Callahan | Head | Molette | Thompson (Pike) |
| Cox | Howell | O'Neal | Tucker |
| Crocker | Ingalls | Pinson | Wallace |
| Davis | Inzer | Ramey | Ward |
| Denton | Johnston | Richardson | Weaver |
| Doughty | Kaul | | |

—70

H. 7 INDEFINITELY POSTPONED

On motion of Mr. McGowin the bill, H. 7, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 88. To make an appropriation for the support of the Council of State Governments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 1.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Doughty | McClendon | Sellers |
| Adams (Dale) | Dumas | McDanal | Shelton |
| Adams (Jefferson) | Evans | McDonald | Shirley |
| Barnett | Faulk | McIlwain | Sightler |
| Beatty | Ganey | Mason | Snodgrass |
| Benford | Garrett | Meeks | Stone |
| Brannan | George | Merrill | Sullivan |
| Brassell | Gibson | Miller | Taylor (Autauga) |
| Broadwater | Givhan | Mitchell | Taylor (Hale) |
| Buckner | Hankins | Molette | Thagard |
| Busby | Haynes (Lowndes) | O'Neal | Thompson (Pike) |
| Bush | Head | Pinson | Tucker |
| Callahan | Howell | Ramey | Wallace |
| Cox | Inzer | Richardson | Ward |
| Crocker | Johnston | Roberts | Weaver |
| Davis | Kaul | Robinson | White (Covington) |
| Denton | Larkins | Sadler | Wood (Bibb) |

—68

Nays: Mr. Pinkston.

—1

And the bill:

H. 6. To provide for the use of any surplus which remains in the State Treasury to the credit of Alabama Special Educational Trust Fund at the close of the fiscal year ending September 30, 1947, after all appropriations have been paid in full.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Evans | McClendon | Robinson |
| Adams (Dale) | Faulk | McDanal | Sadler |
| Adams (Jefferson) | Ganey | McDonald | Sellers |
| Barnett | Garrett | McGowin | Shelton |
| Beatty | George | McIlwain | Shirley |
| Benford | Gibson | Mason | Sightler |
| Brannan | Gillis | Meeks | Stone |
| Brassell | Givhan | Merrill | Sullivan |
| Broadwater | Hankins | Miller | Taylor (Autauga) |
| Buckner | Haynes (Lowndes) | Mitchell | Taylor (Hale) |
| Busby | Head | Molette | Thagard |
| Bush | Howell | O'Neal | Thompson (Pike) |
| Callahan | Ingalls | Pinkston | Tucker |
| Cox | Inzer | Pinson | Ward |
| Crocker | Johnston | Ramey | Weaver |
| Davis | Kaul | Richardson | White (Covington) |
| Denton | Larkins | Roberts | Wood (Bibb) |
| Dumas | | | |

—69

And the bill:

H. 9. To repeal Sections 2 and 4 of the Act entitled "An Act, To make provision for the establishment, expansion, and maintenance of a forest research and educational program for the State of Alabama; to make provision for a 4-year degree course in forestry; to make provision for a ranger school for the training of men for the State's forest fire control program; to make provision for better and more adequate training in forestry of agricultural students; to provide funds for the initial purchase of forestry equipment; to provide funds for construction of laboratory facilities; to provide funds for construction of a forestry building; to provide for the administration and direction of the work; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to authorize and empower county boards of revenue, county commissioners, or other governing bodies, individuals, firms, organizations, corporations, companies, or municipalities to make donations and appropriations for the purchase of land and equipment for the establishment of experimental forestry units in the several forest regions of the State; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations." approved July 9, 1945.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------------|
| Mr. Speaker | Dumas | Larkins | Sellers |
| Adams (Dale) | Faulk | McClendon | Shelton |
| Adams (Jefferson) | Frasier | McDanal | Shirley |
| Barnett | Gancy | McDonald | Sightler |
| Beatty | Garrett | McGowin | Snodgrass |
| Benford | George | Mason | Stone |
| Brannan | Gibson | Merrill | Sullivan |
| Brassell | Givhan | Miller | Taylor (Autauga) |
| Broadwater | Hankins | Mitchell | Taylor (Hale) |
| Buckner | Haynes (Franklin) | Molette | Thagard |
| Busby | Haynes (Lowndes) | O'Neal | Thompson (Pike) |
| Bush | Head | Pinkston | Tucker |
| Callahan | Howell | Pinson | Wallace |
| Cox | Ingalls | Ramey | Ward |
| Crocker | Inzer | Richardson | Weaver |
| Davis | Johnston | Roberts | White (Covington) |
| Denton | Kaul | Sadler | Wood (Bibb) |
| Dobbs (Fayette) | | | |

—69

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H.J.R. 51. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two Houses adjourn

today they adjourn to meet again on Tuesday, July 22, 1947, at 10 o'clock A.M.

On motion of Mr. Snodgrass the rules were suspended and H. J. R. 51 was adopted.

BILLS ON THIRD READING RESUMED

H. 173. To make a conditional appropriation to the Agricultural Center Board for constructing and equipping additional regional facilities for housing livestock shows, agricultural and industrial displays, and other exhibits.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 4.

Yeas:

| | | | |
|-------------------|-------------------|---------------|------------------------|
| Mr. Speaker | Doughty | Johnston | Robinson |
| Adams (Dale) | Duffee | Larkins | Sellers |
| Adams (Jefferson) | Dumas | McClendon | Sightler |
| Barnett | Faulk | McDonald | Stone |
| Beatty | Frasier | McGowin | Sullivan |
| Benford | Ganey | McIlwain | Taylor (Autauga) |
| Brannan | Garrett | Mason | Taylor (Hale) |
| Brassell | George | Merrill | Thagard |
| Broadwater | Gibson | Miller | Thompson (Pike) |
| Buckner | Givhan | Mitchell | Tucker |
| Busby | Hankins | Molette | Wallace |
| Bush | Harris | O'Neal | Ward |
| Cox | Haynes (Franklin) | Pinson | Weaver |
| Crocker | Howell | Ramey | White (Covington) |
| Davis | Ingalls | Richardson | Wood (Bibb) |
| Denton | Inzer | Roberts | |

—63

Nays: Messrs. Callahan, McDanal, Malone, Shirley.

—4

And the bill:

S. 162. To amend Section 89, Article 2, Title 36 of the 1940 Code of Alabama as previously amended by an Act entitled "An Act to Amend Section 89, Article 2, Title 36 of the 1940 Code of Alabama", approved June 17, 1943.

Was read a third time at length and passed.

Yeas 65; Nays 2.

Yeas:

| | | | |
|-------------------|------------|-------------------|-----------|
| Mr. Speaker | Busby | Frasier | Head |
| Adams (Dale) | Bush | Ganey | Howell |
| Adams (Jefferson) | Callahan | Garrett | Ingalls |
| Barnett | Cox | George | Johnston |
| Beatty | Crocker | Gibson | Kaul |
| Benford | Davis | Gillis | Larkins |
| Brannan | Denton | Hankins | Lovlace |
| Brassell | Doughty | Harris | McClendon |
| Broadwater | Duffee | Haynes (Franklin) | McDonald |
| Buckner | Faulk | Haynes (Lowndes) | McGowin |

| | | | |
|----------|------------|------------------|-----------------|
| Mason | Richardson | Snodgrass | Thompson (Pike) |
| Merrill | Roberts | Stone | Tucker |
| Miller | Robinson | Sullivan | Wallace |
| Mitchell | Sellers | Taylor (Autauga) | Ward |
| Molette | Shelton | Taylor (Hale) | Weaver |
| O'Neal | Sightler | Thagard | Wood (Bibb) |
| Ramey | | | |

—65

Nays: Messrs. McIlwain and Shirley.

—2

And the bill:

H. 463. To amend Section 18 of Title 32 of the Code of Alabama of 1940, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Larkins | Robinson |
| Adams (Dale) | Faulk | Lovelace | Sellers |
| Adams (Jefferson) | Frasier | McClendon | Shelton |
| Barnett | Ganey | McDanal | Shirley |
| Beatty | Garrett | McDonald | Sightler |
| Benford | George | McIlwain | Stone |
| Black | Gillis | Mason | Sullivan |
| Brassell | Hankins | Merrill | Taylor (Autauga) |
| Broadwater | Harris | Miller | Taylor (Hale) |
| Buckner | Haynes (Franklin) | Mitchell | Thagard |
| Busby | Haynes (Lowndes) | Molette | Tucker |
| Bush | Head | O'Neal | Wallace |
| Callahan | Hornsby | Pinson | Ward |
| Crocker | Howell | Ramey | Weaver |
| Davis | Ingalls | Richardson | White (Covington) |
| Denton | Inzer | Roberts | Wood (Bibb) |
| Doughty | Johnston | | |

—66

And the bill:

H. 246. To amend Sections 17 and 19, Title 32, Code of Alabama of 1940, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Doughty | Ingalls | Roberts |
| Adams (Dale) | Duffee | Johnston | Sellers |
| Adams (Jefferson) | Faulk | Larkins | Shelton |
| Barnett | Frasier | McClendon | Shirley |
| Beatty | Ganey | McDanal | Sightler |
| Benford | Garrett | McDonald | Stone |
| Brannan | Gibson | McIlwain | Sullivan |
| Brassell | Gillis | Mason | Taylor (Autauga) |
| Broadwater | Hankins | Merrill | Thompson (Pike) |
| Buckner | Harris | Mitchell | Wallace |
| Busby | Haynes (Franklin) | Molette | Ward |
| Bush | Haynes (Lowndes) | Pinson | Weaver |
| Callahan | Head | Ramey | White (Covington) |
| Davis | Hornsby | Richardson | Wood (Bibb) |
| Denton | Howell | | |

—58

And the bill:

H. 434. To Amend Section 29 of Title 8 of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | Larkins | Robinson |
| Adams (Dale) | Frasier | Lovellace | Sadler |
| Adams (Jefferson) | Ganey | McClendon | Sellers |
| Barnett | George | McDanal | Shelton |
| Beatty | Gibson | McDonald | Shirley |
| Benford | Gillis | McGowin | Sightler |
| Brannan | Givhan | McIlwain | Snodgrass |
| Brassell | Harris | Malone | Stone |
| Broadwater | Haynes (Franklin) | Mason | Sullivan |
| Buckner | Haynes (Lowndes) | Merrill | Taylor (Autauga) |
| Busby | Head | Miller | Taylor (Hale) |
| Bush | Hornsby | Mitchell | Thagard |
| Callahan | Howell | Molette | Thompson (Pike) |
| Crocker | Ingalls | Pinson | Ward |
| Davis | Inzer | Ramey | Weaver |
| Denton | Johnston | Richardson | White (Covington) |
| Duffee | Kaul | Roberts | Wood (Bibb) |

—68

And the bill:

H. 423. To amend Section 365 of Title 17 of the 1940 Code of Alabama, which relates to certificates of results of primary elections.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Dumas | Kaul | Richardson |
| Adams (Dale) | Faulk | Larkins | Roberts |
| Adams (Jefferson) | Frasier | Leonard | Robinson |
| Barnett | Ganey | Lovellace | Sadler |
| Beatty | Garrett | McClendon | Sellers |
| Benford | George | McDonald | Shelton |
| Brannan | Gibson | McGowin | Sightler |
| Brassell | Gillis | McIlwain | Snodgrass |
| Broadwater | Givhan | Malone | Sullivan |
| Brown | Harris | Mason | Taylor (Autauga) |
| Buckner | Haynes (Franklin) | Meeks | Taylor (Hale) |
| Busby | Haynes (Lowndes) | Merrill | Thagard |
| Bush | Head | Miller | Tucker |
| Callahan | Hornsby | Mitchell | Ward |
| Davis | Howell | Molette | Weaver |
| Denton | Ingalls | Pinkston | White (Covington) |
| Doughty | Inzer | Pinson | Wood (Bibb) |
| Duffee | Johnston | Ramey | |

—71

And the bill:

H. 424. To amend Section 139 of Title 17 of the 1940 Code of Alabama, which relates to the conduct of general elections.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|--------------|------------------|------------|-------------------|
| Mr. Speaker | Frasier | Leonard | Roberts |
| Adams (Dale) | Ganey | Lovelace | Robinson |
| Beatty | Garrett | McClendon | Sellers |
| Benford | George | McDonald | Shelton |
| Brannan | Gibson | McGowin | Sightler |
| Brassell | Gillis | McIlwain | Snodgrass |
| Broadwater | Hankins | Mason | Sullivan |
| Buckner | Harris | Meeks | Taylor (Autauga) |
| Busby | Haynes (Lowndes) | Merrill | Taylor (Hale) |
| Bush | Head | Miller | Thagard |
| Callahan | Hornsby | Mitchell | Wallace |
| Davis | Howell | Molette | Ward |
| Denton | Ingalls | Pinkston | Weaver |
| Duffee | Inzer | Ramey | White (Covington) |
| Dumas | Johnston | Richardson | Wood (Bibb) |
| Faulk | Kaul | | |

—62

And the bill:

S. 103. To authorize counties and municipalities to insure their employees against personal injury or death caused by accident or violence while discharging their duties as such employees.

Was taken up.

Mr. Stone offered the following substitute for the bill, S. 103: Substitute for S. 103 by Mr. Stone.

A BILL TO BE ENTITLED AN ACT

To authorize and empower governing bodies of municipal corporations, counties, city and county boards of education, and state agencies or institutions of education, learning, training or correction, or for the delinquent, insane, sick, deaf, dumb, blind, needy, juvenile or aged to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance, or any one or more of them, for the benefit of such of its officers and employees as it may determine and who elect to accept same and authorize deductions from their compensation to pay premiums which are payable in whole or in part by such officer or employee; to provide for the plan of any such insurance; to provide for the payment of the premiums therefor; to authorize such governing body to pay out of public funds the whole or such part of the premium as it may determine; to declare the legislative intent; to provide that any return of premium shall be made to the governing body paying same; to authorize appropriations to carry out the provisions of the act; to repeal all conflicting laws; to provide that the invalidity or unconstitutionality of any provision or application

shall not affect other provisions or applications of the act; and to fix its effective date.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the council, commission or similar governing body of each municipal corporation; the court of county commissioners, board of revenue or similar governing body of each county; the board of education of each city; the board of education of each county; and the board of trustees, board of managers, board of control or similar governing body of each state agency or institution of education, learning, training or correction, or for the delinquent, insane, sick, deaf, dumb, blind, needy, juvenile or aged, now existing or hereafter established, shall have power and authority to contract for and obtain and maintain policies of group life, health, accident and hospitalization insurance, or any one or more of them, for the benefit of such of the officers and employees of such municipality, county, board, agency or institution as may be determined by such governing body and as shall or may elect to accept the same, and who have authorized in writing such governing body to make deductions from their compensation to pay premiums on any such policy or policies if such premiums be payable in whole or in part by such officer or employee.

Section 2. That all such governing bodies shall have **authority to contract for and purchase any or all such policies of insurance** from any insurer or insurers admitted to transact the business of such insurance in the State of Alabama. The amounts of insurance under any such policy must be based upon some plan precluding individual selection either by such officers and employees or by the governing body. The coverage of any such policy may be limited to specified classes of officers and employees determined by conditions pertaining to employment, but there shall be no discrimination within any such specified class.

Section 3. That such governing body shall have authority to pay all or such part of the premium for such insurance as such governing body shall determine out of any available funds, and to deduct that part of the premium, if any, which is to be paid by such officer or employee from the salary or wage of such officer or employee as may be authorized by him and to pay such deductions together with the remainder due of such premium to the insurer issuing such policy in full payment of the premium.

Section 4. It is hereby declared to be the intent of the Legislature that any such governing body shall have the power and authority to determine in its sole discretion the class or classes of officers or employees who are to be insured under any such policy or policies, the amount, nature and kind of insurance upon each such officer and employee and class thereof, and whether the premium therefor shall be paid in whole or in part by such governing body, and if in part, the amount thereof that will be so paid.

Section 5. That in the event there is a return of premium by any such insurance company under any such insurance contract, such return shall be made to the governing body paying such premium.

Section 6. That any such governing body may appropriate sufficient funds to carry out the provisions of this Act.

Section 7. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 8. That if any provision of this Act, or the application thereof to any officer, employee, municipality, county, board, agency or institution, is held invalid or unconstitutional, the remainder of the Act and the application thereof to officers, employees, municipalities, counties, boards, agencies and institutions other than those to which it is held invalid or unconstitutional, shall not be affected thereby.

Section 9. This Act shall become effective upon its approval by the Governor or its otherwise becoming a law.

And the substitute offered by Mr. Stone for the bill, S. 103, was adopted.

Yeas 66; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|------------|-------------------|
| Mr. Speaker | Garrett | McGowin | Sellers |
| Adams (Dale) | George | McIlwain | Shelton |
| Barnett | Gibson | Malone | Shirley |
| Beatty | Gillis | Mason | Sightler |
| Benford | Givhan | Meeks | Snodgrass |
| Brannan | Hankins | Merrill | Stone |
| Brassell | Harris | Miller | Sullivan |
| Brown | Haynes (Franklin) | Mitchell | Taylor (Autauga) |
| Buckner | Haynes (Lowndes) | Molette | Taylor (Hale) |
| Busby | Head | Norman | Thagard |
| Crocker | Hornsby | Pinkston | Thompson (Pike) |
| Denton | Howell | Richardson | Wallace |
| Duffee | Inzer | Roberts | Ward |
| Dumas | Johnston | Robinson | Weaver |
| Faulk | McClendon | Rogers | White (Covington) |
| Frasier | McDanal | Sadler | Wood (Bibb) |
| Ganey | McDonald | | |

—66

And said bill, S. 103, as thus amended, was read a third time at length and passed.

Yeas 64; Nays 0.

Yeas:

| | | | |
|--------------|----------|-------------------|-----------|
| Mr. Speaker | Buckner | George | Head |
| Adams (Dale) | Callahan | Gibson | Howell |
| Barnett | Crocker | Gillis | Inzer |
| Beatty | Denton | Givhan | Johnston |
| Benford | Dumas | Hankins | Leonard |
| Brannan | Faulk | Harris | Lovelace |
| Brassell | Ganey | Haynes (Franklin) | McClendon |
| Brown | Garrett | Haynes (Lowndes) | McDanal |

| | | | |
|----------|------------|------------------|-------------------|
| McDonald | Molette | Sellers | Thagard |
| McGowin | Pinkston | Shelton | Thompson (Pike) |
| McIlwain | Ramey | Sightler | Tucker |
| Mason | Richardson | Snodgrass | Wallace |
| Meeks | Roberts | Stone | Ward |
| Merrill | Robinson | Sullivan | Weaver |
| Miller | Rogers | Taylor (Autauga) | White (Covington) |
| Mitchell | Sadler | Taylor (Hale) | Wood (Bibb) |

—64

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H.J.R. 51. Relative to adjournment of the two houses until Tuesday, July 22, 1947 at 10 o'clock A. M.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

The Senate has passed the following House bills and returns same herewith to the House:

H. 586. To provide for advance payment out of the fine and forfeiture fund of Covington County, Alabama, after registration, of certain officers' claims and witness certificates for attendance before grand jury and the Circuit Court of Covington county; to provide for the reimbursement of said fund when the Clerk of the Circuit Court receives payment of such paid claims and certificates; and to prescribe the duties of the Clerk of the Circuit Court and of the custodian of the fine and forfeiture fund with respect to the payments herein authorized.

Also:

H. 584. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Colbert County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Also:

H. 573. To abolish the county court in Clarke County, Alabama; to provide for the transfer of all causes pending in said court to the inferior court of Clarke County; and to provide for the disposition of all unsatisfied judgments, executions, and forfeitures in said court.

Also:

H. 604. To consolidate and combine the offices of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Lime-

stone County; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation.

Also:

H. 605. To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office.

Also:

H. 608. For the relief of Mrs. U. G. Brimer as compensation for the death of her husband, U. G. Brimer, deceased, of Calhoun County, Alabama, as result of injuries received while he was in the line of and performing his duties as a road employee of Calhoun County, Alabama.

Also:

H. 572. To create and establish an inferior court in Clarke County, Alabama to be known as the Inferior Court of Clarke County; to define its jurisdiction; to fix its terms; to provide for its officers; to define their powers, duties and authority; to fix their compensation; and to provide for the rules of procedure and the operation of said court.

Also:

H. 603. To create and establish in Limestone County, in lieu of the existing court created by Act No. 362, approved July 6, 1931, and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and of civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 519. To amend Section 135 of Title 17 of the 1940 Code of Alabama by adding to said section as now composed, a provision reading as follows: In counties having a population of 400,000 or more according to the last or any subsequent federal census, the appointing board may employ, for such length of time and at such compensation as may be fixed by the governing body of the county to be payable out of the treasury of the county, a person to assist the appointing board in assembling the names of good citizens for appointment as inspectors and clerks.

Also:

H. 568. To promote and improve in Cullman County, Alabama, the enforcement of the criminal laws of the State of Alabama, by requiring the County Solicitor of Cullman County to represent the State of Alabama in all misdemeanor cases before any Magistrate of Cullman County, having county wide criminal jurisdiction, to fix his compensation for the performance of such additional duties and provide the mode of making claim, fixing the status of such claim and the manner of payment of such compensation.

Also:

H. 564. To repeal Act 259, approved June 28, 1945, entitled "An Act To authorize and empower the Court of County Commissioners of St. Clair County, Alabama, to expend County Funds not exceeding \$5,000.00 per annum for purposes not otherwise provided for by law."

Also:

H. 617. To authorize the Sheriff of Winston County, Alabama, with the approval of the County Governing Body, to appoint three additional Deputies Sheriff whose salary, not to exceed \$900.00 annually, and the duration of service may be fixed and determined by said County Governing Body; to designate **the county residence and the areas of service of said deputies**, and to prescribe their duties and to require them to give bond as provided by the General Laws of Alabama; to provide that the salaries of said Deputies shall be paid out of the General Fund of the County, which shall be reimbursed out of certain fines, forfeitures, costs and fees; to provide when this Act shall become operative, and to fix the effective date hereof.

J. E. Speight,
Secretary.

H. 137 INDEFINITELY POSTPONED

On motion of Mr. Roberts the bill, H. 137, was indefinitely postponed.

H. 111 POSTPONED

On motion of Mr. Benford the bill, H. 111, was postponed to the 20th Legislative Day.

RESOLUTION

The following resolution was introduced:

By Mr. Roberts:

H.J.R. 52. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that S.B. 103 be known as the Langan, Roberts, Miller, Merrill Bill.

On motion of Mr. Roberts the rules were suspended, and H.J.R. 52 was adopted.

BILLS ON THIRD READING RESUMED

S. 102. To amend Sections 4 and 9 of Act 211, approved July 7, 1945, which gives the State Board of Health and hospital associations authority to plan, acquire, construct, equip, maintain, and supervise hospitals, health centers, and related facilities for the treatment of disease; redefining the duties and terms of the advisory council to the State Board of Health and prescribing qualifications of directors of hospital associations.

Was taken up.

Mr. Pinkston offered the following amendment to the bill, S. 102:

AMENDMENT TO. S. 102

By Mr. Pinkston:

Amend S.B. 102 by deleting the following from lines 17 and 18 in Section 9 on Page 2 which reads as follows:

"but no publicly elected official shall be appointed as a director of a hospital association."

The motion of Mr. Barnett to table the amendment offered by Mr. Pinkston, was lost:

Yeas 21; Nays 54.

Yeas:

| | | | |
|-------------------|-------------------|------------|----------|
| Messrs.: | Gillis | McDonald | Robinson |
| Adams (Jefferson) | Hankins | McGowin | Rogers |
| Barnett | Haynes (Franklin) | McIlwain | Sadler |
| Benford | Head | Mason | Thagard |
| Broadwater | Inzer | Richardson | Weaver |
| Denton | Kaul | | |

—21

Nays:

| | | | |
|--------------|------------------|----------|-------------------|
| Mr. Speaker | Dumas | Malone | Sightler |
| Adams (Dale) | Faulk | Meeks | Snodgrass |
| Beatty | Ganey | Merrill | Still |
| Black | Garrett | Miller | Stone |
| Brannan | Gibson | Molette | Sullivan |
| Brassell | Givhan | Norman | Taylor (Autauga) |
| Brown | Harris | Pinkston | Taylor (Hale) |
| Buckner | Haynes (Lowndes) | Pinson | Thompson (Pike) |
| Bush | Hornshy | Ramey | Tucker |
| Callahan | Howell | Roberts | Wallace |
| Cox | Ingalls | Sellers | Ward |
| Crocker | Larkins | Shelton | White (Covington) |
| Duffee | Leonard | Shirley | Wood (Bibb) |
| | McClendon | | |

—54

And the amendment offered by Mr. Pinkston to the bill, S. 102, was adopted.

Yeas 61; Nays 12.

Yeas:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Mr. Speaker | Faulk | McDanal | Shirley |
| Adams (Dale) | Ganey | McIlwain | Sightler |
| Adams (Jefferson) | Garrett | Malone | Snodgrass |
| Beatty | George | Meeks | Still |
| Black | Gibson | Merrill | Stone |
| Brannan | Givhan | Miller | Sullivan |
| Brassell | Harris | Molette | Taylor (Autauga) |
| Brown | Haynes (Franklin) | Norman | Taylor (Hale) |
| Buckner | Haynes (Lowndes) | Pinkston | Thompson (Pike) |
| Busby | Hornsby | Pinson | Tucker |
| Bush | Howell | Ramey | Wallace |
| Callahan | Ingalls | Roberts | Ward |
| Cox | Larkins | Sadler | Weaver |
| Crocker | Leonard | Sellers | White (Covington) |
| Duffee | McClendon | Shelton | Wood (Bibb) |
| Dumas | | | |

—61

Nays:

| | | | |
|------------|---------|------------|----------|
| Messrs.: | Denton | Kaul | Robinson |
| Barnett | Hankins | Mason | Rogers |
| Benford | Head | Richardson | Thagard |
| Broadwater | | | |

—12

On motion of Mr. Harris further consideration of the bill, S. 102, was postponed until the next Legislative Day.

H. 324 POSTPONED

On motion of Mr. Stone the bill, H. 324, was postponed until the 20th Legislative Day.

BILLS ON THIRD READING RESUMED

(With substitute):

H. 100. To amend Section 73, Title 8 (as amended by Act Number 556, General Acts, 1943, page 543, approved July 10th, 1943), of the Alabama Code of 1940; relating to the use of nets, seins or traps on streams emptying into salt waters of State.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Conservation, said committee substitute being as follows:

Conservation Committee substitute for H.B. 100.

A BILL TO BE ENTITLED AN ACT

To amend Section 73, Title 8 (as amended by Act Number 556, General Acts, 1943, page 543, approved July 10th, 1943), of the Alabama Code of 1940; relating to the use of nets, seines or traps on streams emptying into salt waters of State.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. Section 73, Title 8 (as amended by Act Number 556, General Acts, 1943, page 543, approved July 10, 1943), of the Alabama Code of 1940 shall be and is hereby amended so as to read in words and figures as follows:

"73. (4071) USING NET, SEINE, OR TRAP ON STREAMS EMPTYING INTO SALT WATERS OF STATE, PROHIBITED. No person shall take or catch or attempt to take or catch any fish by means of any seine, trap, net or other device or substitute therefor in any of the streams, lakes, estuaries, bayous or rivers emptying into any of the salt waters or bays of this State, nor within one hundred (100) feet below the mouth of such stream, lake, estuary, bayou or river as established by the Department of Conservation, except in Bon Secour River up to a point at the property known as Wakeford's Store. It shall be the duty of the Department of Conservation, and they are hereby required to place and maintain suitable, permanent markers designating clearly the mouth of each such stream, lake, estuary, bayou and river emptying into any of the salt waters or bays of this State.

Any person who shall violate this section by taking or catching or attempting to take or catch any fish in any of the waters here in prohibited shall be guilty of a misdemeanor, and shall, in addition forfeit his fishing license for a period of one (1) year from the date of his conviction.

Any persons or person effacing, mutilating, destroying or attempting to efface, mutilate or destroy any marker placed by the Department of Conservation pursuant to this section shall be guilty of a misdemeanor."

SECTION 2. All laws or parts of laws in conflict herewith are hereby repealed so far as they may be in conflict.

SECTION 3. This Act shall become effective immediately upon its passage and approval by the Governor or by its otherwise becoming a law.

And the substitute reported by the Standing Committee on Conservation for the bill, H. 100, was adopted.

Yeas 65; Nays 1.

Yeas:

| | | | |
|-------------------|----------|-------------------|-----------|
| Mr. Speaker | Bush | Gibson | Larkins |
| Adams (Dale) | Callahan | Givhan | Leonard |
| Adams (Jefferson) | Cox | Hankins | Lovelace |
| Barnett | Davis | Harris | McClendon |
| Beatty | Denton | Haynes (Franklin) | McDanal |
| Benford | Duffee | Haynes (Lowndes) | McDonald |
| Black | Dumas | Head | Merrill |
| Brannan | Faulk | Howell | Miller |
| Broadwater | Ganey | Inzer | Mitchell |
| Buckner | Garrett | Johnston | Molette |
| Busby | George | Kaul | Norman |

| | | | |
|------------|-----------|---------------------|-------------------|
| Pinkston | Sellers | Taylor (Autauga) | Tucker |
| Pinson | Shelton | Thagard | Wallace |
| Ramey | Shirley | Thompson (Crenshaw) | Ward |
| Richardson | Snodgrass | Thompson (Pike) | Weaver |
| Roberts | Stone | | Wood (Washington) |
| Sadler | Sullivan | | —65 |

Nays: Mr. Taylor (Hale)

—1

And said bill, H. 100, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dumas | Leonard | Shelton |
| Adams (Dale) | Faulk | McClendon | Shirley |
| Adams (Jefferson) | Ganey | McDanal | Sightler |
| Barnett | Garrett | McDonald | Snodgrass |
| Beatty | George | Merrill | Stone |
| Benford | Gibson | Miller | Sullivan |
| Black | Givhan | Mitchell | Thagard |
| Brannan | Hankins | Molette | Thompson (Crenshaw) |
| Broadwater | Harris | Pinkston | Thompson (Pike) |
| Buckner | Haynes (Franklin) | Pinson | Tucker |
| Busby | Haynes (Lowndes) | Ramey | Wallace |
| Bush | Head | Richardson | Ward |
| Cox | Howell | Roberts | Weaver |
| Davis | Inzer | Robinson | Wood (Bibb) |
| Denton | Johnston | Sadler | —62 |
| Duffee | Kaul | Sellers | |

And the bill:

(With amendment:

H. 177. To Amend Section 53, Title 36, of the Code of 1940.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

JUDICIARY COMMITTEE AMENDMENT TO H. 177

Amend H. 177, line 19, Section 1 thereof, by striking out the word "his" where it appears after the word "constable" and before the word "fines" and insert in lieu thereof the word "these".

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

| | | | |
|-------------------|---------|------------|----------|
| Mr. Speaker | Beatty | Broadwater | Callahan |
| Adams (Dale) | Benford | Buckner | Cox |
| Adams (Jefferson) | Black | Busby | Davis |
| Barnett | Brannan | Bush | Denton |

| | | | |
|-------------------|-----------|------------|---------------------|
| Duffee | Kaul | Pinson | Taylor (Autauga) |
| Dumas | McClendon | Ramey | Taylor (Hale) |
| Faulk | Lovelace | Richardson | Thagard |
| Ganey | McDanal | Roberts | Thompson (Crenshaw) |
| Garrett | McDonald | Robinson | Thompson (Pike) |
| Gillis | McIlwain | Sadler | Tucker |
| Hankins | Malone | Sellers | Wallace |
| Harris | Merrill | Shelton | Ward |
| Haynes (Franklin) | Miller | Shirley | Weaver |
| Haynes (Lowndes) | Mitchell | Sightler | White (Covington) |
| Head | Molette | Snodgrass | Wood (Bibb) |
| Howell | Norman | Stone | |
| Inzer | Pinkston | | |

—65

And said bill, H. 177, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Years 62; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|----------|---------------------|
| Mr. Speaker | Faulk | McDanal | Snodgrass |
| Adams (Dale) | Ganey | McDonald | Still |
| Adams (Jefferson) | Garrett | McIlwain | Stone |
| Beatty | George | Merrill | Taylor (Autauga) |
| Benford | Gillis | Miller | Taylor (Hale) |
| Black | Givhan | Mitchell | Thagard |
| Brannan | Hankins | Molette | Thompson (Crenshaw) |
| Broadwater | Haynes (Lowndes) | Pinkston | Thompson (Pike) |
| Buckner | Head | Ramey | Tucker |
| Busby | Howell | Roberts | Wallace |
| Bush | Inzer | Robinson | Ward |
| Callahan | Kaul | Sadler | Weaver |
| Cox | Larkins | Sellers | White (Covington) |
| Denton | Leonard | Shelton | Wood (Bibb) |
| Duffee | Lovelace | Shirley | |
| Dumas | McClendon | Sightler | |

—62

And the bill:

(With substitute):

H. 37. To permit all school buildings and other properties used or held in trust by city boards of education for school purposes to be insured in the State Insurance Fund.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Education, said committee substitute reported by the Standing Committee on Education, said committee substitute being as follows:

Education Committee Substitute for H. 37.

A BILL TO BE ENTITLED AN ACT

To amend Sections 317, 318, 320, 322, 323, 325, and 327 of Title 28, 1940 Code of Alabama, relating to the State Insurance Fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

§ 1. That Section 317 of Title 28, 1940 Code of Alabama, is hereby amended to read as follows: "Section 317. State Insurance Fund.—There shall be a fund, to be known as the state insurance fund, carried by the state treasurer for the purpose of insuring against loss by fire, lightning, windstorm, and hail, all public buildings and the contents thereof, including school buildings, in which title in whole or in part is vested in the State of Alabama or any of its agencies and institutions, or in which funds provided by the state have been used for the purpose of the land, construction of the building, purchase or maintenance of any equipment, furniture, fixtures, or supplies in such building. Provided, however, that the provisions of this Section shall not apply to any private person, firm, corporation, association, or institution which receives funds from the State of Alabama."

§ 2. That Section 318 of Title 28, 1940 Code of Alabama, is hereby amended to read as follows: "Section 318. Department of finance shall carry out article.—The department of finance is hereby designated as the agency through which the provisions of this article shall be administered. The director of the department is empowered with all authority to effectuate the purposes of this article and, subject to the approval of the governor, he may appoint an administrator, who may be actuary, who is familiar with insurance customs and practices and otherwise qualified by actual experience in the underwriting of risks and adjustment of losses, to assist him in carrying out such purposes. The administrator shall install and keep an acturial system of accounting and statistical records, adjust losses, make appraisals of state-owned properties for insurance purposes when necessary, and handle or supervise the handling of all other details incident to carrying out the provisions of this article. The salary of the administrator shall be fixed by the directors, with the approval of the governor, at a sum not to exceed five thousand dollars per annum. The administrator shall give bond, in the amount of ten thousand dollars, for the faithful performance of his duties."

§ 3. That Section 320 of Title 28, 1940 Code of Alabama, is hereby amended to read as follows: "Section 320. State property insured for seventy-five per cent of value.—All state property shall be insured for seventy-five per cent of its actual value, and any property may, at the option of the director, be insured up to one hundred per cent of its value. The officer or person having charge by law of insuring any public building shall annually certify to the department of finance the description and the values of all buildings and equipment under his supervision or control, on forms prescribed by the department, for the purpose of showing the character of the risk and determining the rate of premium. No coverage shall be issued unless such certificate is on file in the office of the department of finance or the director has waived, in

writing, the filing of the same. Buildings owed by any county or municipality, and used for school purposes, under control of the county board of education, may be insured under the provisions of this act. The department of finance shall cause to be inspected, annually if practicable, all public property coming within the provisions of this article to ascertain to what extent any hazard has been increased or reduced; and the officer or person in charge of the public property shall receive a copy of such inspection report. Upon the completion of an inspection, the person who conducted the inspection shall report his findings in writing to the director of finance and the state superintendent of education. Based upon the findings of the inspection the director of finance and the state superintendent of education may issue an order in writing directing a person in charge of any public property insured under the provisions of this act to comply with certain specifications or to remove or remedy any reported hazardous conditions. If the person in charge of such public property fails to comply with such an order, the director of finance and the state superintendent of education are authorized to institute legal action in a court of equity jurisdiction to compel compliance. Any person failing to comply with an order of the director of finance and the superintendent of education shall be guilty of a misdemeanor and subject to punishment therefor."

§ 4. That Section 322 of Title 28, 1940 Code of Alabama, is hereby amended to read as follows: "Section 322. Payment of premiums.—All of such premiums shall be paid to the department of finance, not later than sixty days from the effective date of such insurance or renewal thereof, by the treasurer or executive officer of the agency affected. Such funds shall be promptly transmitted to the state treasurer, who shall place the same to the credit of the state insurance fund. Upon failure or refusal of any officer to comply with the provisions of this section with regard to the payment of premiums, the state comptroller shall, when requested by the director of the department of finance, deduct from any funds due or which may become due the delinquent, the amount of unpaid premiums and pay the same to the state insurance fund."

§ 5. That Section 323 of Title 28, 1940 Code of Alabama, is hereby amended to read as follows: "Section 323. Sinking fund for payment of losses, etc., how deposited.—All premiums and earnings collected under the provisions of this article shall constitute a trust fund to be applied as herein authorized. With the approval of the governor, any surplus in the fund over a necessary working capital, which shall be determined by the director of finance, at not less than one hundred thousand dollars, may be invested in the bonds or other obligations of the United States, of the State of Alabama, or of any agency, institution, or instrumentality of the State of Alabama, including any public corporation of the State of Alabama created for the purpose of erecting and maintaining public buildings. Any and all funds derived from

operations under this article shall be subject to requisition by the director of finance, approved by the governor, for the payment of losses, necessary expenses of administering this article and investment."

§ 6. That Section 325 of Title 28, 1940 Code of Alabama, is hereby amended to read as follows: "Section 325. Limit of expenditures from fund.—No part of these funds shall be used to increase the salary of any state employee. Only the salary of the designated administrator, stenographic secretary, inspector, clerical force, and such other expense as may be necessary for the efficient administration of the provisions of this article shall be paid from these funds, and all such expenditures shall be limited to four per cent of the amount of premiums written in each year, or so much thereof as may be required. All employees as provided in this section shall be subject to the merit system act."

§ 7. That Section 327 of Title 28, 1940 Code of Alabama, is hereby amended to read as follows: "Section 327. Forms prescribed by director.—The director of finance is authorized to prescribe forms of policies, proofs of losses, and other forms, and to make such rules and regulations as may be necessary or expedient for the proper administration of the provisions of this article."

§ 8. This act shall become effective upon its passage and approval by the governor or its otherwise becoming a law.

POINT OF ORDER

The point of order raised by Mr. Harris that the substitute offered by the Standing Committee on Education was not germane to the bill, H. 37, was sustained by the Chair.

And said bill, H. 37, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Ganey | Meeks | Still |
| Adams (Jefferson) | Garrett | Merrill | Stone |
| Barnett | George | Miller | Sullivan |
| Beatty | Gillis | Mitchell | Taylor (Autauga) |
| Benford | Hankins | Norman | Taylor (Hale) |
| Black | Harris | Pinkston | Thagard |
| Broadwater | Haynes (Franklin) | Pinson | Thompson (Crenshaw) |
| Brown | Haynes (Lowndes) | Ramey | Thompson (Pike) |
| Buckner | Head | Richardson | Tucker |
| Busby | Inzer | Roberts | Wallace |
| Bush | Leonard | Robinson | Ward |
| Callahan | Lovelace | Sellers | Weaver |
| Cox | McClendon | Shelton | White (Covington) |
| Denton | McDanal | Shirley | Wood (Bibb) |
| Duffee | McDonald | Sightler | |
| Faulk | Malone | Snodgrass | |

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the bill:

S. 103. To authorize and empower governing bodies of municipal corporations, counties, city and county boards of education, and state agencies or institutions of education, learning, training or correction, or for the delinquent, insane, sick, deaf, dumb, blind, needy, juvenile or aged to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance, or any one or more of them, for the benefit of such of its officers and employees as it may determine and who elect to accept same and authorize deductions from their compensation to pay premiums which are payable in whole or in part by such officer or employee; to provide for the plan of any such insurance; to provide for the payment of the premiums therefor; to authorize such governing body to pay out of public funds the whole or such part of the premium as it may determine; to declare the legislative intent; to provide that any return of premium shall be made to the governing body paying same; to authorize appropriations to carry out the provisions of the act; to repeal all conflicting laws; to provide that the invalidity or unconstitutionality of any provision or application shall not affect other provisions or applications of the act; and to fix its effective date.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Swift and Mize:

S. 202. To make an annual appropriation to provide a retirement benefit to any State employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee: and to provide a supplement to the retirement benefit of any state employee who had attained age 60 on October 1, 1945, and who is or will be retired under the provisions of Act 515, approved July 9, 1945 with a minimum of 15 years of service as a state employee, and who is not entitled under the provisions of said Act 515 to receive a retirement benefit in excess of \$60.00 per month: to set forth the requirements under which said retirement and supplemental

benefits shall be granted: and to provide for the management of the fund appropriated by this act.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 202. Ways and Means

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Patterson:

S. 129. To amend Title 37, Section 276, of the Code of Alabama, 1940.

Also:

By Messrs. Swift and Mize:

S. 201. To amend Sections 1, 3, 4, 5, and 12 of Act 515, approved July 9, 1945.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the title to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 129. Local Government

S. 201. State Administration

RESOLUTION

The following resolution was introduced:

By Messrs. Sullivan, Stone and Johnston:

H.J.R. 53. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that S.B. 226 which has passed both Houses be known as the "Langan, Sullivan, Stone, Johnston Bill."

On motion of Mr. Sullivan the rules were suspended and H.J.R. 53 was adopted.

MOTION TO ADJOURN

The motion of Mr. Weaver to adjourn until Tuesday, July 22, 1947, was lost.

Yeas 31; Nays 32.

Yeas:

| | | | |
|--------------|---------|------------|------------------|
| Mr. Speaker | Doughty | Ingalls | Sightler |
| Adams (Dale) | Duffee | Inzer | Snodgrass |
| Barnett | Faulk | Leonard | Stone |
| Broadwater | Garrett | McDonald | Sullivan |
| Buckner | Givhan | Pinkston | Taylor (Autauga) |
| Callahan | Head | Pinson | Tucker |
| Davis | Hornsby | Richardson | Weaver |
| Denton | Howell | Shelton | |

—31

Nays:

| | | | |
|-------------------|-------------------|----------|-------------------|
| Messrs.: | Gibson | Meeks | Shirley |
| Adams (Jefferson) | Gillis | Merrill | Taylor (Hale) |
| Beatty | Harris | Miller | Thagard |
| Benford | Haynes (Franklin) | Mitchell | Thompson (Pike) |
| Black | Haynes (Lowndes) | Ramey | Wallace |
| Busby | Larkins | Roberts | White (Covington) |
| Cox | McDana | Sadler | Wood (Bibb) |
| Dumas | Malone | Sellers | Wood (Washington) |
| Ganey | | | |

—32

BILLS ON THIRD READING RESUMED

H. 44. To repeal Act 409, approved July 8, 1943, entitled, "An Act To provide additional compensation for election officials for attending schools of instruction regarding the use and operation of voting machines in all counties and municipalities or other political subdivisions of the State, in which elections are conducted by voting machines; and to provide for the manner of paying said compensation."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 1.

Yeas:

| | | | |
|-------------------|----------|---------|-------------------|
| Mr. Speaker | Buckner | Duffee | Haynes (Franklin) |
| Adams (Dale) | Busby | Dumas | Haynes (Lowndes) |
| Adams (Jefferson) | Bush | Faulk | Head |
| Barnett | Callahan | Ganey | Howell |
| Beatty | Cox | Garrett | Inzer |
| Benford | Crocker | George | Kaul |
| Brannan | Davis | Gibson | Larkins |
| Broadwater | Denton | Harris | Leonard |

| | | | |
|----------|------------|------------------|-------------------|
| McDanal | Pinson | Shelton | Thagard |
| McDonald | Ramey | Shirley | Thompson (Pike) |
| Malone | Richardson | Sightler | Wallace |
| Meeks | Roberts | Snodgrass | Weaver |
| Merrill | Robinson | Stone | White (Covington) |
| Miller | Rogers | Taylor (Autauga) | Wood (Bibb) |
| Mitchell | Sadler | Taylor (Hale) | Wood (Washington) |
| Norman | Sellers | | |

—62

Nays: Mr. Gillis.

And the bill:

H. 297. To amend Section 394 of Title 17 of the 1940 Code, which relates to political party committees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Leonard | Sellers |
| Adams (Dale) | Dumas | McDanal | Shelton |
| Adams (Jefferson) | Faulk | McDonald | Shirley |
| Barnett | Ganey | Malone | Sightler |
| Beatty | Garrett | Meeks | Snodgrass |
| Benford | George | Merrill | Stone |
| Brannan | Gibson | Miller | Sullivan |
| Broadwater | Harris | Mitchell | Taylor (Autauga) |
| Buckner | Haynes (Franklin) | Norman | Taylor (Hale) |
| Busby | Haynes (Lowndes) | Pinson | Thagard |
| Bush | Head | Ramey | Thompson (Pike) |
| Callahan | Hornsby | Richardson | Wallace |
| Cox | Howell | Roberts | White (Covington) |
| Crocker | Inzer | Robinson | Wood (Bibb) |
| Davis | Kaul | Rogers | Wood (Washington) |
| Denton | Larkins | Sadler | |

—63

And the bill:

H. 343. To prohibit the issuance or distribution of any paper, instrument, or document which appears to be a check, draft, or bill of exchange, but which is in fact not a bona fide check, draft, or bill of exchange.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

| | | | |
|-------------------|----------|-------------------|----------|
| Mr. Speaker | Busby | Faulk | Howell |
| Adams (Dale) | Bush | Ganey | Ingalls |
| Adams (Jefferson) | Callahan | Garrett | Inzer |
| Barnett | Cox | George | Kaul |
| Beatty | Crocker | Gibson | Larkins |
| Benford | Davis | Gillis | McDanal |
| Bennett | Denton | Harris | McDonald |
| Brannan | Duffee | Haynes (Franklin) | Meeks |
| Broadwater | Dumas | Haynes (Lowndes) | Merrill |
| Buckner | Evans | Head | Miller |

| | | | |
|------------|----------|------------------|-------------------|
| Mitchell | Robinson | Sightler | Thagard |
| Norman | Rogers | Snodgrass | Thompson (Pike) |
| Pinson | Sadler | Stone | Wallace |
| Ramey | Sellers | Sullivan | Weaver |
| Richardson | Shelton | Taylor (Autauga) | Wood (Bibb) |
| Roberts | Shirley | Taylor (Hale) | Wood (Washington) |

—64

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the bill:

S. 278. To provide, in any city of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority to lease, or own, or otherwise acquire and provide, control and operate fairgrounds, parks, exhibits, exhibitions and other installations, facilities and places for the amusement, entertainment, recreation and cultural development of the citizens of such city; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said director; to provide for the powers of such authority; to authorize the city to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the city to make appropriations or to lend money to the authority; and to accord the authority exemptions from State, county and city taxation.

J. E. Speight,
Secretary.

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House bills hereinafter mentioned were delivered to the executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 9:20 A.M. on July 18, 1947.

H. 211

Delivered to the Governor at 10:00 A.M. on July 18, 1947.

H. 214

H. 269

H. 372

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Crocker, the House, in accordance with H.J.R. 51 heretofore adopted, adjourned until Tuesday, July 22, 1947, at 10 o'clock, A.M.

EIGHTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 22, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Carl E. Perry, pastor of First Assmblly of God Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Leonard | Rogers |
| Adams (Dale) | Dumas | Lovelace | Sadler |
| Adams (Jefferson) | Dyar | McClendon | Sellers |
| Barnett | Evans | McDonald | Shelton |
| Beatty | Faulk | McGowin | Shirley |
| Benford | Frasier | McIlwain | Sightler |
| Bennett | Ganey | Malone | Snodgrass |
| Black | Garrett | Martin | Stewart |
| Brannan | George | Mason | Still |
| Brassell | Gibson | Mathison | Stone |
| Broadwater | Gillis | Meeks | Sullivan |
| Brown | Givhan | Merrill | Taylor (Autauga) |
| Buckner | Hankins | Miller | Taylor (Hale) |
| Busby | Harris | Mitchell | Thagard |
| Bush | Harrison | Molette | Thomp- |
| Callahan | Haynes (Franklin) | Nelson | son (Crenshaw) |
| Cobb | Haynes (Lowndes) | Nettles | Thompson (Pike) |
| Coburn | Head | Norman | Tucker |
| Cole | Hornsby | O'Neal | Vann |
| Cox | Howell | Pinkston | Wallace |
| Crocker | Ingalls | Pinson | Ward |
| Davis | Inzer | Pruitt | Weaver |
| Denton | Johnston | Ramey | Whitcomb |
| Dobbs (Elmore) | Kaul | Richardson | White (Covington) |
| Dobbs (Fayette) | Knight | Roberts | Wood (Bibb) |
| Doughty | Larkins | Robinson | Wood (Washington) |

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventeenth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the seventeenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the seventeenth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules begs leave to report that said Committee, in session, has compared the following engrossed bills with the original bills and finds same correctly engrossed, to-wit:

By Messrs. Snodgrass, Larkins, O'Neal, Roberts, and White (Covington):

H. 51. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

Also:

By Messrs. Snodgrass and Wallace:

H. 70. To Amend Section 752 of Title 51, Article 10, Chapter 20, Code of Alabama 1940, As Amended By Act No. 584, Approved July 10, 1943, and Reported in Acts 1943, Page 585.

Also:

By Messrs. Busby, Shelton, Brown, Wallace, Larkins, Johnston, Gibson, Buckner, nad McGowin:

H. 79. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1948, and September 30, 1949, including all schools, agencies, services, and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama.

W. M. Beck,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bills, to wit;

H. 236. To amend Section 2 of Act 216, approved May 28, 1931, entitled, "An Act To preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district and the Judge of Probate of said county a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix their salaries, to repeal an act approved August 20, 1927, of the local acts of 1927 on page 234 thereof", by increasing the automobile allowance of the commissioners.

Also:

H. 464. To authorize and empower the Clerk of the Circuit Court of Escambia County, Alabama, to act as magistrate in taking affidavits for warrants for the arrest of persons charged with **crimes in that county and to issue warrants of arrest based thereon**, such warrants of arrest to be returnable to the Courts in said County having jurisdiction of the offense; to fix the fees for taking such affidavits, issuing such warrants and acting as such magistrate, and to provide that the same shall be taxed and collected as part of the costs in the case.

Also:

H. 498. To Place the Sheriff of Calhoun County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Calhoun County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Calhoun County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer.

Also:

H. 499. To Create a Purchasing Agent for Calhoun County, Alabama, to be composed of the Chairman of the Calhoun County Commission of said County, whose duty shall be to purchase books, stationery, blanks, machinery, supplies, materials, appliances and equipment for the several county offices, jails, court

houses and other public buildings of said county under the supervision and control of the Calhoun County Commission; also the public roads and bridges of said County, and to define the powers and duties of said Purchasing Agent, and to fix his salary.

Also:

H. 500. To Provide for a Deputy Clerk of the Circuit Court of Calhoun County, and to fix his powers, duties and compensation.

Also:

H. 513. To Alter and Extend the Boundaries of the City of Birmingham, to Provide for an Election to Submit to the Qualified Voters of the Territory to be Annexed to said City of Birmingham for their approval or rejection of such Alterations and Extension.

Also:

514. For the relief of Ruth E. Pugh and to authorize and direct the City of Birmingham to pay to said Ruth E. Pugh \$2.500 for injuries received when she was struck by a City of Birmingham fire truck.

Also:

515. For the relief of Luther Tolson Donaldson, a minor twelve years of age, in the sum of \$2,200.00, in that on, to-wit. July 12, 1945, a duly authorized agent, servant, or employee of Jefferson County, Alabama, negligently drove a tractor into the said Luther Tolson Donaldson, a minor twelve years of age, and permanently and painfully injured him, at or near a point, to-wit, one half mile west of Price's Store, on the Glenwood Road, between Morris and Crosston, Jefferson County, Alabama.

Also:

H. 516. For the relief of Luther L. Donaldson, in the sum of \$300.00, covering actual loss and expense sustained by him as a proximate consequence of the negligence of an agent, servant or employee of Jefferson County, Alabama, while acting within the line and scope of his employment, in negligently driving a tractor into Luther L. Donaldson's minor son, Luther Tolson Donaldson, also into the automobile of Luther L. Donaldson on, to-wit, July 12, 1945, in Jefferson County, Alabama, about one mile west of Price's Store, on the Glenwood Road between Morris and Crosston, said sum covering actual damages to Luther L. Donaldson's said automobile, and actual expense sustained by him as a proximate consequence of medical expenses to his said minor son, as foresaid, loss of time from his work as a proximate consequence thereof, and damages to his said automobile.

Also:

H. 519. To amend Section 135 of Title 17 of the 1940 Code of Alabama by adding to said section as now composed, a provision reading as follows: In counties having a population of 400,000

or more according to the last or any subsequent federal census, the appointing board may employ for such length of time and at such compensation as may be fixed by the governing body of the county to be payable out of the treasury of the county, a person to assist the appointing board in assembling the names of good citizens for appointment as inspectors and clerks.

Also:

H. 564. To repeal Act 259, approved June 28, 1945, entitled "An Act To authorize and empower the Court of County Commissioners of St. Clair County, Alabama, to expend County Funds not exceeding \$5,000.00 per annum for purposes not otherwise provided for by law."

Also:

H. 568. To promote and improve in Cullman County, Alabama, the enforcement of the criminal laws of the State of Alabama, by requiring the County Solicitor of Cullman County to represent the State of Alabama in all misdemeanor cases before nay Magistrate of Cullman County, having county wide criminal jurisdiction, to fix his compensation for the performance of such additional duties and provide the mode of making claim, fixing the status of such claim and the manner of payment of such compensation.

Also:

H. 572. To create and establish an inferior court in Clarke County, Alabama to be known as the Inferior Court of Clarke County; to define its jurisdiction; to fix its terms; to provide for its officers; to define their powers, duties and authority; to fix their compensation; and to provide for the the rules of procedure and the operation of said court.

Also:

H. 573. To abolish the county court in Clarke County, Alabama; to provide for the transfer of all causes pending in said court to the inferior court of Clarke County; and to provide for the disposition of all unsatisfied judgments; executions, and forfeitures in said court.

Also:

H. 584. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Colbert County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Also:

H. 586. To provide for advance payment out of the fine and forfeiture fund of Covington County, Alabama, after registration, of certain officers' claims and witnesses certificates for attendance

before the grand jury and the Circuit Court of Covington county; to provide for the reimbursement of said fund when the Clerk of the Circuit Court receives payment of such paid claims and certificates; and to prescribe the duties of the Clerk of the Circuit Court and of the custodian of the fine and forfeiture fund with respect to the payments herein authorized.

Also:

H. 603. To create and establish in Limestone County, in lieu of the existing court created by Act No. 362, approved July 6, 1931, and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and of civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

Also:

H. 604. To consolidate and combine the offices of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County and for an assistant clerk and his compensation.

Also:

H. 605. To change the method of compensating the Judge of Probate of Limestone County, placing such office on a salary, and providing clerks for his office.

Also:

H. 608. For the relief of Mrs. U. G. Brimer as compensation for the death of her husband, U. G. Brimer, deceased, of Calhoun County, Alabama, as result of injuries received while he was in the line of and performing his duties as a road employee of Calhoun County, Alabama.

Also:

H. 617. To authorize the Sheriff of Winston County, Alabama, with the approval of the County Governing Body, to appoint three additional Deputies Sheriff whose salary, not to exceed \$900.00 annually, and the duration of service may be fixed and determined by said County Governing Body; to designate the county residence and the areas of service of said deputies, and to prescribe their duties and to require them to give bond as provided by the General Laws of Alabama; to provide that the salaries of said Deputies shall be paid out of the General Fund of the County, which shall be reimbursed out of certain fines, forfeitures, costs and fees; to provide when this Act shall become inoperative, and to fix the effective date hereof.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the House with a favorable report:

BY RULES COMMITTEE:

H. 54. BE IT RESOLVED BY THE HOUSE OFF REPRESENTATIVES:

That the following bills be made special, paramount and continuing orders of business for the Eighteenth Legislative Day:

H. 613, page 54

H. 493, page 14

S. 194, page 35

H. 610, page 33

H. 526, page 43

H. 480, page 50

H. 492, page 34

H. 382, page 12

H. 383, page 12

H. 292, page 12

H. 249, page 25

H. 175, page 26

H. 316, page 28

H. 579, page 34

H. 510, page 39

H. 628, page 52

H. 265, page 19

And that the following bills be made special, paramount and continuing orders of business for Tuesday, July 29th., 1947:

H. 1, H. 397, H. 595, H. 187 and H. 439.

And the report of the Standing Committee on Rules, H.R. 54, was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 53. Relative to SB 266 being known as the "Lagan, Sullivan, Stone, Johnston Bill."

J. E. Speight,
Secretary.

BILLS ON SECOND READING

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Boutwell:

S. 289. To authorize the City of Birmingham, Alabama for public use to construct, equip, maintain, and operate for compensation a public off-street automobile parking facility below the surface of that certain property in Birmingham, Alabama, known as Woodrow Wilson Park, and to use so much of said property known as Woodrow Wilson Park as may be necessary or desirable for the construction, maintenance, or operation of such facility for the public.

By Mr. Boutwell:

S. 288. To authorize the City of Birmingham, Alabama, for public use to construct, equip, maintain, and operate for compensation a public off-street automobile parking facility below the surface of that certain property in Birmingham, Alabama, known as Kelly Ingram Park, being situated on Block 44, Elyton Land Company's Survey of Birmingham, and to use so much of said property known as Kelly Ingram Park as may be necessary or desirable for the construction, maintenance, or operation of such facility for the public.

By Mr. Mize:

S. 291. To provide for the City of Tuscaloosa a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the city, defining violations of the Act, and imposing penalties for violations.

By Mr. Buckner:

H. 669. For the relief of W. R. Griffin and Graf Hart.

By Mr. Patton:

S. 299. To amend Sections 3 and 4 of an Act entitled "An Act To create the office of County Solicitor of Limestone County, Alabama, to provide for the election of such officer by the qualified voters of said county, to prescribe his powers, duties and qualifications, provide for his compensation, fix the term of his office, provide for his election, the time of the election of his successor and to repeal all general and local laws in conflict herewith so far as they relate to said county" approved June 26, 1931.

By Mr. Cox:

H. 668. To alter the corporate limits of the Town of Maplesville, Chilton County, Alabama, and to rearrange and define the boundaries thereof.

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Deton (with notice and proof):

H. 688. To amend an Act entitled "An Act To provide for the election of a county superintendent of education for Blount County, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officer."

Local Legislation.

Notice and Proof H. 688:

A BILL TO BE ENTITLED AN ACT

To amend an Act entitled "An Act To provide for the election of a county superintendent of education for Blount County, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officer."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 4 of an Act entitled "An Act to provide for the election of a county superintendent of education for Blount County, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officer," approved September 24, 1923, is amended to read as follows: "Section 4. The county superintendent of education shall devote his entire time to the public school business of Blount County and shall receive such salary as the county board of education shall fix, which salary shall not be less than eighteen

hundred dollars (\$1,800) nor more than thirty-six hundred dollars (3,600) per year and they may change the salary at any time during his term of office. The salary of the superintendent shall be paid in the same manner as is provided by the general laws of Alabama for the payment of salaries of county superintendents of education. In addition to the salary authorized by this Act, the County Board of Education of Blount County, Alabama, is empowered to fix, approve, and authorize the payment of traveling expenses not in excess of six hundred dollars (\$600.) annually actually incurred by the county superintendent in the performance of his official duties within and without the county.

This act shall become effective on passage and approval of the Governor.
12-J-4t

N. C. DENTON

THE STATE OF ALABAMA,
BLOUNT COUNTY.

Personally appeared before the undersigned authority, Rice M. Howard, who, being duly sworn, deposes and says that he is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed local legislation was published for 4 consecutive weeks in said newspaper, commencing on the 12 day of June, 1947, and ending on the 3 day of July, 1947.

RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me this 19 day of July, 1947.

P. P. TAYLOR,
N.P.

By Messrs. Meeks, Beatty, Adams (Jefferson) and Sadler:

H. 689. To apply in, but only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require the payment to such counties of a license tax, in addition to all other taxes and licenses now required by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such counties; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; to repeal any existing ordinances or statutes in conflict with the provisions of this act and to provide the effective date of this act.

Local Legislation.

By Mr. Harris:

H. 690. To repeal an Act entitled an Act "To facilitate the registration to vote of persons in the armed forces of the United States and affiliated organizations and to facilitate the registrations of all other persons who are eligible for registration by providing for meetings of the Board of Registrars in every county in this State on the first and third Mondays in each month". Approved July 3, 1945.

Constitution and Elections.

By Mr. Harris:

H. 691. To regulate and provide for the keeping together and the separation of the jury during the trial by jury of all criminal cases in the courts of this state.

Judiciary.

By Mr. Callahan:

H. 692. To amend Section 25 of Title 36 of the Code of Alabama of 1940 as amended by the Acts of 1939, Page 1033, approved July 5, 1940 (Relating to traveling on highways).

Transportation.

By Messrs. Snodgrass and O'Neal (with notice and proof):

H. 693. To change the corporate limits of the City of Scottsboro, Jackson County, Alabama.

Local Legislation.

Notice and Proof H. 693:

NOTICE OF LOCAL LEGISLATION

STATE OF ALABAMA.
JACKSON COUNTY.

Notice is hereby given that the following Bill will be introduced and passed through the 1947 session of the Alabama Legislature, viz:

A BILL TO BE ENTITLED AN ACT

TO CHANGE THE CORPORATE LIMITS OF THE CITY OF SCOTTSBORO, JACKSON COUNTY, ALABAMA.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the corporate limits of the City of Scottsboro, Alabama, be, and the same are hereby established so as to include the following described real estate, to-wit:

The Southeast quarter (SE $\frac{1}{4}$) and the East half (E $\frac{1}{2}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section 24; the East half (E $\frac{1}{2}$) of the Northeast quarter (NE $\frac{1}{4}$) and the Northeast quarter (NE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of Section 25, all in Township 4 South, of Range 5 East; also the South three-fourths (S $\frac{3}{4}$) of Section 19; the South three-fourths (S $\frac{3}{4}$) of Section 20, except the Southeast quarter (SE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$); the West half (W $\frac{1}{2}$) of the Northeast quarter (NE $\frac{1}{4}$); the Northwest quarter (NW $\frac{1}{4}$) and the North half (N $\frac{1}{2}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section 29, and all of Section 30, except the Southwest quarter (SW $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) and the Southeast quarter (SE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$); also the Northwest quarter (NW $\frac{1}{4}$) of Section 21, all in Township 4 South of Range 6 East, in Jackson County, Alabama.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby repealed.

Section 3. This Act shall take effect on the 1st day of October, 1947.

H. G. JACOBS, Mayor.

City of Scottsboro 626A4

STATE OF ALABAMA.
JACKSON COUNTY.

Before me, Lois Stewart, a Notary Public in and for said County and State, personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says:

I am the Editor and Publisher of The Progressive Age, a newspaper of general circulation published in Scottsboro, Jackson County, Alabama. The foregoing attached notice of local legislation was regularly published in said paper once a week for four successive weeks, in the issues of June 26th, July 3rd, 10th and 17th, 1947.

Sworn to and subscribed before me on this the 21st day of July, 1947.
P. W. CAMPBELL,
LOIS STEWART,
Notary Public.

By Messrs. Gibson and Coburn:

H. 694. To prohibit any person, while in the presence of one or more other persons, from loitering upon, along, at or near any public highway in a wet county for the purpose of drinking liquor, wine, or malt or brewed beverages; and to fix a penalty for any violation hereof.

Judiciary.

By Mr. Ingalls:

H. 695. To amend Section 573, Title 51, Article 1, Chapter 20 Code of Alabama 1940.

Ways and Means.

By Mr. Ingalls:

H. 696. To Amend Section 579, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

Ways and Means.

By Messrs. Johnston and Brannan:

H. 697. To Amend Section 32 of Title 8 of the Code of Alabama of 1940.

Conservation.

By Messrs. Roberts and Wallace:

H. 698. To amend Section 122 of Title 51 of the Code of Alabama 1940.

Judiciary.

By Messrs. McGowin and Thagard (with notice and proof):

H. 699. To provide that justices of the peace and notaries public ex officio justices of the peace in Precinct Twelve, Butler County, Alabama shall have territorial jurisdiction coextensive with the limits of Butler County, Alabama.

Local Legislation.

Notice and Proof H. 699:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that at the regular session of the Legislature of Alabama of 1947, a bill substantially as follows will be introduced, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

"To provide that justices of the peace and notaries public ex officio justices of the peace in Precinct Twelve, Butler County, Alabama shall have territorial jurisdiction coextensive with the limits of Butler County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

"Section 1. Each justice of the peace and notary public ex officio justice of the peace in Precinct Twelve, Butler County, Alabama, shall have jurisdiction of all civil and criminal matters, including suits to recover possession of real estate, coextensive with the territorial limits of Butler County, Alabama.

"Section 2. This act shall be effective immediately upon its passage and approval."

37c4

T. W. THAGARD.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA.
BUTLER COUNTY.

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. G. Stanley, who, being by me first duly sworn, deposes and says that he is publisher of The Greenville Advocate, which is and has been during the times herein mentiond, a newspaper of general circulation published in Greenville, Butler County, Alabama, and that a certain notice of which the foregoing and attached notice is a true copy was published in said newspaper once a week for four consecutive weeks, appearing in the issues of said newspaper published on the 19th day of June, 1947, the 26th day of June, 1947, the 3rd Day of July, 1947, and the 10th day July, 1947, and that said publication was made without cost to the State of Alabama.

J. G. STANLEY,

Sworn to and subscribed before me this 21st day of July, 1947.

Pauline B. Fulton,
Notary Public.

(SEAL)

By Mr. Roberts:

H. 700. To amend Section 692, Title 51, of the Code of Alabama, of 1940.

Ways and Means.

By Messrs. Meeks, Beatty, and Adams (Jefferson):

H. 701. To apply in, but only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; to fix, levy and to require the payment to such counties of a license tax, in addition to all other taxes or licenses now required by law, of two cents (0.02) on each package of cigarettes sold, stored, or received, for the purpose of distribution to any person, firm, corporation, club, or association within such counties; to provide for the payment of said tax by the purchase and sale of stamps to be affixed to each said package of cigarettes sold or distributed in such counties; to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; to prescribe penal-

ties and fix the punishment for the violation of any provisions of this act; and to repeal any existing ordinances or statutes in conflict with the provisions of this act and to provide the effective date of this act.

Local Legislation.

BILLS ON THIRD READING

H. 646. To amend Sections 1 and 3 of an act entitled, "An act to fix the compensation or salary to be paid the Tax Assessor of Etowah County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Assessor of Etowah County, Alabama, and to require said Tax Assessor to collect all fees, compensation and allowance heretofore or hereafter authorized to be collected by him, including compensation payable to him for making ad valorem tax assessments for the several municipalities in Etowah County, and to pay same into the county treasury of Etowah County; to provide for the payment of the salary or compensation of said Tax Assessor of Etowah County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of said Tax Assessor, and to prescribe when this act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943 and set out in 1943 Local Acts of the Legislature of Alabama, pages 71 and 72 as Local Act No. 136.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

| | | | |
|-----------------|-------------------|------------|-------------------|
| Mr. Speaker | Faulk | Lovelace | Roberts |
| Barnett | Ganey | McClendon | Robinson |
| Benford | Garrett | McDonald | Rogers |
| Brannan | George | McGowin | Sellers |
| Brassell | Gibson | Mason | Shelton |
| Buckner | Gillis | Meeks | Shirley |
| Bush | Hankins | Merrill | Stone |
| Callahan | Harrison | Miller | Taylor (Autauga) |
| Cobb | Haynes (Franklin) | Nelson | Taylor (Hale) |
| Coburn | Haynes (Lowndes) | O'Neal | Thompson (Pike) |
| Cole | Head | Pinkston | Wallace |
| Cox | Howell | Pinson | Ward |
| Crockett | Inzer | Pruitt | Weaver |
| Dobbs (Fayette) | Larkins | Ramey | White (Covington) |
| Duffee | Leonard | Richardson | Wood (Bibb) |
| Dyar | | | |

—61

And the bill:

H. 647. To amend Sections 1 and 3 of an act entitled "An Act to Fix the Compensation or salary to be paid the Tax Collector

of Etowah County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Collector of Etowah County, Alabama, and to require said Tax Collector to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, including compensation payable to him for collecting ad valorem taxes for the several municipalities in Etowah County, and to pay same into the county treasury of Etowah County; to provide for the payment of the salary or compensation of said Tax Collector of Etowah County, and the clerks, deputies and other clerical assistants, and other office expenses out of the funds of Etowah County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Tax Collector, and to prescribe when this act shall go into effect," enacted by the 1943 Legislature of Alabama, approved June 10, 1943, and set out in 1943 Local Acts of the Legislature of Alabama, pages 69, 70 and 71 as Local Act No. 135.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

| | | | |
|-----------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | Leonard | Robinson |
| Adams (Dale) | Faulk | Lovelace | Rogers |
| Barnett | Frasier | McClendon | Sellers |
| Benford | Ganey | McDonald | Shelton |
| Brannan | Garrett | McGowin | Shirley |
| Brassell | George | Mason | Sightler |
| Buckner | Gibson | Mathison | Snodgrass |
| Bush | Gillis | Meeks | Stone |
| Callahan | Givhan | Merrill | Sullivan |
| Cobb | Hankins | Miller | Taylor (Autauga) |
| Coburn | Harrison | Molette | Thagard |
| Cole | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Cox | Haynes (Lowndes) | O'Neal | Wallace |
| Crocker | Head | Pinkston | Weaver |
| Dobbs (Fayette) | Inzer | Ramey | White (Covington) |
| Duffee | Knight | Richardson | Wood (Bibb) |
| Dyar | Larkins | Roberts | —67 |

And the bill:

H. 506. To provide for a board of trustees for the Alabama School of Trades, to define its duties, to limit the expenditures for such board, and to repeal Section 446, Title 52, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Doughty | Johnston | Roberts |
| Adams (Dale) | Duffee | Knight | Robinson |
| Adams (Jefferson) | Dyar | Larkins | Rogers |
| Barnett | Faulk | Lovclace | Sellers |
| Benford | Frasier | McClendon | Shelton |
| Black | Ganey | McDonald | Shirley |
| Brannan | Garrett | McGowin | Sightler |
| Brassell | George | Mason | Snodgrass |
| Buckner | Gibson | Mathison | Stone |
| Bush | Gillis | Meeks | Taylor (Autauga) |
| Callahan | Hankins | Merrill | Taylor (Hale) |
| Cobb | Harrison | Miller | Thagard |
| Cole | Haynes (Franklin) | Molette | Thompson (Pike) |
| Cox | Haynes (Lowndes) | Nelson | Wallace |
| Crocker | Head | O'Neal | Ward |
| Denton | Hornsby | Pinkston | Weaver |
| Dobbs (Elmore) | Howell | Ramey | White (Covington) |
| Dobbs (Fayette) | Inzer | Richardson | Wood (Bibb) |

—72

And the bill:

H. 655. To Alter or Re-arrange The Boundary Lines of the Town of Arab, Marshall County, Alabama, so as to include within the Corporate Limits of said Town all Territory Now Within Such Corporate Limits and Also Certain Other Territory in Marshall County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Inzer | Roberts |
| Adams (Dale) | Duffee | Johnston | Rogers |
| Adams (Jefferson) | Dyar | Knight | Sellers |
| Benford | Faulk | Larkins | Shelton |
| Brannan | Frasier | Leonard | Shirley |
| Brassell | Ganey | McClendon | Sightler |
| Buckner | Garrett | McDonald | Snodgrass |
| Busby | George | Mason | Stone |
| Bush | Gillis | Mathison | Taylor (Autauga) |
| Callahan | Hankins | Meeks | Taylor (Hale) |
| Cobb | Harris | Merrill | Thompson (Pike) |
| Coburn | Harrison | Miller | Wallace |
| Cole | Haynes (Franklin) | Molette | Ward |
| Cox | Haynes (Lowndes) | Nelson | Weaver |
| Crocker | Head | Pinkston | Whitcomb |
| Denton | Hornsby | Ramey | White (Covington) |
| Dobbs (Elmore) | Howell | Richardson | Wood (Bibb) |

—68

And the bill:

H. 654. To provide for an additional deputy sheriff for Marshall County, Alabama, to fix his salary, time and methods of its payment, funds that it shall be paid from and make it a preferred

claim against the general fund and provide when this act shall take effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | Johnston | Sellers |
| Adams (Dale) | Faulk | Larkins | Shelton |
| Adams (Jefferson) | Ganey | Leonard | Shirley |
| Benford | Garrett | Lovelace | Sightler |
| Black | George | McClendon | Snodgrass |
| Brannan | Gibson | McDonald | Stone |
| Brassell | Givhan | Mason | Taylor (Autauga) |
| Busby | Hankins | Mathison | Taylor (Hale) |
| Bush | Harris | Merrill | Thompson (Pike) |
| Callahan | Harrison | Miller | Wallace |
| Cobb | Haynes (Franklin) | Nelson | Ward |
| Cole | Haynes (Lowndes) | O'Neal | Weaver |
| Cox | Head | Pinkston | Whitcomb |
| Crocker | Hornsby | Ramey | White (Covington) |
| Denton | Howell | Richardson | Wood (Bibb) |
| Dobbs (Elmore) | Inzer | Roberts | |

—63

H. 650 RE-REFERRED

On motion of Mr. Lovelace the bill, H. 650, was re-referred to the Standing Committee on Local Legislation.

BILLS ON THIRD READING RESUMED

H. 659. To require the tax collector of counties having a population of not less than 140,000 and not more than 400,000 inhabitants as shown by the last or any succeeding federal census, in addition to such duties as are now required of him by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor of such counties on account of such extra duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

| | | | |
|-------------------|----------|-----------------|---------|
| Mr. Speaker | Callahan | Dobbs (Elmore) | Garrett |
| Adams (Dale) | Cobb | Dobbs (Fayette) | George |
| Adams (Jefferson) | Coburn | Duffee | Gibson |
| Brannan | Cole | Dyar | Gillis |
| Brassell | Cox | Faulk | Givhan |
| Buckner | Crocker | Frasier | Hankins |
| Bush | Denton | Ganey | Harris |

| | | | |
|-------------------|-----------|------------------|-------------------|
| Harrison | McClendon | Richardson | Taylor (Hale) |
| Haynes (Franklin) | McDonald | Roberts | Thagard |
| Haynes (Lowndes) | Mason | Rogers | Thompson (Pike) |
| Head | Mathison | Sellers | Wallace |
| Hornsby | Merrill | Shelton | Ward |
| Howell | Miller | Shirley | Weaver |
| Inzer | Mollette | Snodgrass | Whitcomb |
| Johnston | Nelson | Stone | White (Covington) |
| Larkins | O'Neal | Sullivan | Wood (Bibb) |
| Leonard | Ramey | Taylor (Autauga) | |

—67

And the bill:

H. 649. To subdivide the City of Dothan into wards for the purpose of conducting municipal elections; to identify the territorial limits of each ward; to require all qualified electors residing in the City and voting in a municipal election to cast their ballot in the ward in which such elector resides; and to repeal all laws or parts of laws in conflict with the provisions of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Inzer | Rogers |
| Adams (Dale) | Duffee | Larkins | Sellers |
| Adams (Jefferson) | Dyar | Leonard | Shelton |
| Benford | Faulk | McClendon | Shirley |
| Black | Garrett | McDonald | Sightler |
| Brassell | George | Malone | Snodgrass |
| Buckner | Gibson | Mathison | Stone |
| Bush | Gillis | Merrill | Taylor (Autauga) |
| Callahan | Givhan | Miller | Thompson (Pike) |
| Cobb | Hankins | Nelson | Wallace |
| Coburn | Harris | O'Neal | Ward |
| Cole | Harrison | Pinkston | Weaver |
| Cox | Haynes (Franklin) | Ramey | Whitcomb |
| Crocker | Head | Richardson | White (Covington) |
| Denton | Howell | Roberts | Wood (Bibb) |

—60

Was taken up.

H. 648. To subdivide Precinct Number Three of Houston County into four Election Districts; to identify the territorial limits of each District; to require all persons in said Precinct to vote in the District in which he or she may reside; and to repeal all laws and parts of laws in conflict with the provisions of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|---------|----------|
| Mr. Speaker | Adams (Jefferson) | Black | Brassell |
| Adams (Dale) | Benford | Brannan | Buckner |

| | | | |
|----------------|-------------------|------------|-------------------|
| Bush | Gibson | McDonald | Sadler |
| Callahan | Givhan | Malone | Sellers |
| Cobb | Hankins | Mason | Shelton |
| Coburn | Harris | Mathison | Shirley |
| Cole | Harrison | Merrill | Snodgrass |
| Cox | Haynes (Franklin) | Miller | Stone |
| Crocker | Haynes (Lowndes) | Molette | Taylor (Autauga) |
| Denton | Head | Nelson | Taylor (Hale) |
| Dobbs (Elmore) | Inzer | Pinkston | Thompson (Pike) |
| Dyar | Johnston | Ramey | Ward |
| Faulk | Larkins | Richardson | Weaver |
| Frasier | Leonard | Roberts | Whitcomb |
| Garrett | Lovelace | Robinson | White (Covington) |
| George | McClendon | Rogers | Wood (Bibb) |

—64

Was taken up.

H. 645. "AN ACT to authorize and empower the Judge of Probate of Fayette County, Alabama, to appoint a Chief Clerk, to fix the salary of said Chief Clerk, provide the method of payment of said salary, and to provide for or require said Chief Clerk to enter into an official bond in the sum of Twenty-Five Hundred (\$2,500.00) Dollars conditioned and payable as required by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

• Yeas 66; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | Leonard | Robinson |
| Adams (Dale) | Duffee | Lovelace | Rogers |
| Adams (Jefferson) | Dyar | McClendon | Sellers |
| Benford | Faulk | McDonald | Shelton |
| Black | Frasier | Mason | Shirley |
| Brannan | Garrett | Mathison | Snodgrass |
| Brassell | George | Meeks | Stone |
| Buckner | Gibson | Merrill | Sullivan |
| Bush | Gillis | Miller | Taylor (Autauga) |
| Callahan | Givhan | Molette | Taylor (Hale) |
| Cobb | Harris | Nelson | Thompson (Pike) |
| Coburn | Harrison | O'Neal | Ward |
| Cole | Haynes (Lowndes) | Pinkston | Weaver |
| Cox | Head | Ramey | Whitcomb |
| Crocker | Inzer | Richardson | White (Covington) |
| Denton | Johnston | Roberts | Wood (Bibb) |
| Dobbs (Elmore) | Larkins | | |

—66

CONSIDERATION OF MOTION TO TAKE H. 134 FROM ADVERSE CALENDAR

The motion of Mr. Howell to take from the Adverse Calendar House Bill 134 and place same on the regular Calendar, which motion had been postponed until today, was taken up.

And on motion of Mr. Pinson the motion of Mr. Howell to take the bill, H. 134; from the Adverse Calendar, was laid upon the table.

Yeas 61; Nays 15.

Yeas:

| | | | |
|-----------------|-------------------|-----------|---------------------|
| Mr. Speaker | Frasier | Lovell | Robinson |
| Adams (Dale) | Gancy | McClendon | Rogers |
| Barnett | Garrett | McDonald | Sellers |
| Beatty | George | McGowin | Shelton |
| Benford | Gillis | Mason | Stone |
| Black | Givhan | Mathison | Sullivan |
| Brassell | Hankins | Molette | Taylor (Autauga) |
| Buckner | Harrison | Nelson | Thagard |
| Bush | Haynes (Franklin) | Nettles | Thompson (Crenshaw) |
| Callahan | Haynes (Lowndes) | Norman | Thompson (Pike) |
| Cole | Head | O'Neal | Ward |
| Denton | Ingalls | Pinkston | Whitcomb |
| Dobbs (Elmore) | Inzer | Pinson | White (Covington) |
| Dobbs (Fayette) | Johnston | Pruitt | Wood (Washington) |
| Dyar | Knight | Ramey | |
| Faulk | Larkins | | |

—61

Nays:

| | | | |
|-------------------|--------|---------|---------------|
| Messrs.: | Dumas | Meeks | Sadler |
| Adams (Jefferson) | Gibson | Merrill | Taylor (Hale) |
| Bennett | Howell | Miller | Wallace |
| Coburn | Kaul | Roberts | Weaver |

—15

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and presiding officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 16. To amend Section 257 of Title 13 of the 1940 Code of Alabama, as amended by An Act of the Legislature, approved July 7, 1945.

Also:

S. 68. To repeal the Act entitled "An Act, to provide for the use, during the ensuing fiscal year, of any surplus which remains in the state treasury to the credit of the Alabama Special Educational Trust Fund at the close of each fiscal year after all appropriations have been paid in full.", approved June 23, 1945.

Also:

S. 71. To repeal the Act entitled "An Act, To provide for the transfer of any surplus over and above \$1,750,000.00 in the State Treasury to the credit of the General Fund, after the payment of all appropriations now or hereafter made payable from said fund, for each of the fiscal years ending September 30, 1946, and September 30, 1947, to the Minimum Program Fund for expenditure during the fiscal year next succeeding the fiscal year in which said surplus accrues, in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund.", approved June 12, 1945.

Also:

S. 89. To repeal Section 5 of the Act entitled "An Act To provide for the examination and audit by the Division of Examiners of Public Accounts of State of Alabama offices, bureaus, boards, commissions, agencies, institutions, and departments and county offices; to require the Division to prescribe and enforce uniform accounting and reporting systems for such State offices, bureaus, institutions, boards, commissions, agencies and departments and county offices; and to appropriate such a sum as may be necessary to carry out the provisions of the act and the expenses incurred thereunder.", approved June 29, 1945.

Also:

S. 103. To authorize and empower governing bodies of municipal corporations, counties, city and county boards of education, and state agencies or institutions of education, learning, training or correction, or for the delinquent, insane, sick, deaf, dumb, blind, needy, juvenile or aged to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance, or any one or more of them, for the benefit of such of its officers and employees as it may determine and who elect to accept same and authorize deductions from their compensation to pay premiums which are payable in whole or in part by such officer or employee; to provide for the **plan of any such insurance; to provide for the payment of the premiums therefor**; to authorize such governing body to pay out of public funds the whole or such part of the premium as it may determine; to declare the legislative intent; to provide that any return of premium shall be made to the governing body paying same; to authorize appropriations to carry out the provisions of the act; to repeal all conflicting laws; to provide that the invalidity or unconstitutionality of any provision or application shall not affect other provisions or applications of the act; and to fix its effective date.

Also:

S. 120. To amend Sections 1 and 2 of Act No. 529, Regular session, 1943, relating to the blood testing for syphilis of all persons residing in Alabama, approved July 1, 1943.

Also:

S. 162. To amend Section 89, Article 2, Title 36 of the 1940 Code of Alabama as previously amended by an Act entitled "An Act to Amend Section 89, Article 2, Title 36 of the 1940 Code of Alabama", approved June 17, 1943.

Also:

S. 226. To authorize the Department of State Docks and Terminals of Alabama, with the approval of the Governor, to expand the port facilities of the State of Alabama to meet the present and prospective needs of trade and commerce; to acquire

and operate additional properties and facilities; to borrow money and to issue and sell bonds, notes or certificates referred to herein as revenue securities; to provide the purposes for which such money may be borrowed; to provide for the form, tenor, effect, interest rates and maturities and payment of such revenue securities; to provide that such revenue securities shall not constitute indebtedness of the State of Alabama, and shall not pledge the faith or credit of the State of Alabama; to provide that such Revenue Securities may be payable from the gross revenues of the unit or units or facility or facilities in whole or in part acquired with the proceeds of such Revenue Securities and out of the gross revenues of said Department, subject to sinking fund requirements, certain operating expenses and other valid commitments; to provide for and authorize the pledge of such revenue to such revenue securities and to provide for the order of payment and priorities of payment of such revenue securities out of such revenue; to authorize the publication of notice concerning the issuance of such revenue securities and limiting the time within which any action may be brought to set aside or contest the validity of any such revenue securities or any proceeding authorizing same or any contractual obligations incurred in connection therewith; to provide for the acceptance of grants and to contract with reference to such grants; to provide for the funding or refunding of obligations of said department by the issuance of such revenue securities and to provide the effective date of this Act and repeal all laws and parts of laws in conflict with the Act.

Also:

S. 230. To propose an amendment to the Constitution of Alabama relating to Marion County; to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the general election next succeeding the present session of the Legislature; and to provide for the expenses of holding said election.

Also:

S. 275. Governing the compensation of the Superintendent of Education of Limestone County.

Also:

S. 277. To amend Section 4 of Act No. 228, approved August 23, 1927 (Local Acts of Alabama, 1927, p. 130), which Act established the Inferior Court of Tuscaloosa County.

Also:

S. 278. To provide, in any city of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority to lease, or own, or otherwise acquire and provide, control and operate fairgrounds, parks, exhibits, exhibitions and other installations, facilities and places for the amusement, entertainment,

recreation and cultural development of the citizens of such city; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the city to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the city to make appropriations or to lend money to the authority; and to accord the authority exemption from State, county and city taxation.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House:

(Boutwell, Henderson, Allen, Lowe):

S. 72. To provide for the transfer of any surplus over and above \$1,500,000.00 in the State Treasury to the credit of the General Fund after the payment of all appropriations now or hereafter made payable from said funds for the fiscal year ending September 30, 1947, to the Alabama State Building Commission to be used as a part of the Building Commission Fund.

Also:

By Mr. Hooton:

S. 237. To regulate the use of State-owned passenger cars; making it unlawful to use a State-owned motor vehicle for personal convenience, pleasure or private business; limiting the number of State-owned passenger cars, and providing for the creation and operation of a motor pool; assignment of passenger cars; maintenance, purchase, and sale of motor vehicles; establishment of property control; and prescribing penalties for violations.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are sent out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 72. Ways and Means

S. 237. State Administration

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Hardwick:

S. 294. To abolish the Court of Common Pleas of Dothan, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LEGISLATION

Notice is hereby given that there will be introduced for passage at the present session of the Legislature of Alabama a local bill providing in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Court of Common Pleas of Dothan, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Court of Common Pleas of Dothan, Alabama, which was created and established by Act 410, approved Sept. 27, 1923, is hereby abolished.

Section 2. All cases, causes, actions, and judgments pending in the abolished court on the effective date of this act shall be transferred to the Inferior Court of Houston County, Alabama, and proceed as if begun therein. All judgments rendered in the abolished court shall be the same as if they had been rendered in The Inferior Court of Houston County, Alabama, which court shall have the same power to control and to issue executions and processes thereon in all respects as though the judgments had been originally rendered by it. Provided, however, that nothing herein contained shall be construed to extend the lien of any judgment rendered by the abolished court.

Section 3. This Act shall become effective upon proclamation of the ratification of an amendment to the Constitution abolishing justices of the peace courts in Precinct 3 of Houston County. Dated this the 27th day of May, 1947.

HOUSTON COUNTY BAR ASSOCIATION.

PROOF OF PUBLICATION

STATE OF ALABAMA,
HOUSTON COUNTY.

Personally appeared before the undersigned, a Notary Public in and for said County and State L. S. Deal, who deposes and says on oath, that he is Editor-Publisher of THE HOUSTON HERALD, that said Houston Herald is printed in the English language; is printed and published in Houston County; has a general circulation in Houston County, and is mailed under the second class mailing privilege of the United States Postoffice department from the Dothan postoffice. Said Houston Herald was published for more than fifty-two consecutive weeks prior to, and continuously throughout the publication dates of the attached advertisement, which was published for four consecutive weeks on the following dates: May 29, and June 5-12-19, 1947.

(Signed) L. S. DEAL,
Editor-Publisher.

Sworn to and subscribed before me this the 26th day of June, 1947.

JAMES L. ACREE,
Notary Public.

(SEAL)

Also:

By Mr. Hardwick:

S. 292. (a) To create and establish in the City of Dothan a Civil Service System effecting certain personnel whose compensation is now or may hereafter be payable, in full or in part, from the public funds of Dothan; (b) to create a Personnel Department consisting of a Citizens Supervisory Committee, a Personnel Board and a Personnel Director, for the supervision and administration of the system and department herein created; (c) to fix and define the powers and authority and to prescribe the duties of each; (d) to define the scope and extent of the operation of the system and its powers and authority over the City of Dothan and its employees; (e) to provide for the payment of the expenses of the administration of this Act and the system and department created; (f) to provide for the adoption of reasonable Rules and Regulations; (g) to provide for the enforcement of the provisions of this Act and the Rules and Regulations adopted pursuant thereto and to provide penalties for their violations; (h) to authorize the discharge and suspension of employees; and (i) to repeal all laws and parts of laws and all ordinances and parts of ordinances in conflict with its provisions.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill will be introduced in the regular session of the legislature now in session (regular session of 1947) for passage into law.

A BILL
TO BE ENTITLED
AN ACT

(a) To create and establish in the City of Dothan a Civil Service System affecting certain personnel whose compensation is now or may hereafter be payable, in full or in part, from the public funds of Dothan; (b) to create a Personnel Department consisting of a Citizens Supervisory Committee, a Personnel Board and a Personnel Director, for the supervision and administration of the system and department herein created; (c) to fix and define the powers and authority and to prescribe the duties of each; (d) to define the scope and extent of the operation of the system and its powers and authority over the City of Dothan and its employees; (e) to provide for the payment of the expenses of the administration of this Act and the system and department created; (f) to provide for the adoption of reasonable Rules and Regulations; (g) to provide for the enforcement of the provisions of this Act and the Rules and Regulations adopted pursuant thereto and to provide penalties for their violation; (h) to authorize the discharge and suspension of employees; and (i) to repeal all laws and parts of laws and all ordinances and parts of ordinances in conflict with its provisions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. DESIGNATION OF ACT. This Act is hereby designated "The Civil Service Act of Dothan."

Section 2. DEFINITIONS. The following words, terms and phrases, wherever used in this Act, shall have the meaning respectively ascribed to them in this Section, unless the context plainly indicates a different meaning: "Masculine Gender" shall comprehend all other genders; "Committee" means the Citizens Supervisory Committee herein created; "Board" means the Personnel Board herein authorized; "Director" means the Personnel Director herein created; "Appointing Authority" means a person, officer, board, commission or other agency charged with the duty and having the powers and make appointments to offices or positions under the Classified Service; "Employee" means a person in the Classified Service herein set up and appointed by the Appointing Authority, unless herein expressly excepted; "Classified Service" includes all offices, positions and employment in the City of Dothan as these offices, positions and employment now or may hereafter exist, the holders of which are paid whether by salary, wages or fees, in whole or in part from funds of the city, except those expressly placed in the "Unclassified Service"; "Employment Register" means records containing names of those persons who have successfully completed prescribed tests, listed and ranked in order of their final earned averages, from the highest to the lowest; "Roster" means records of persons in the Classified Service and the nature and character of the service required; "Tests" means written or oral examinations and other methods, established by Rules and Regulations of the Board or Director, to determine the merit, qualifications, efficiency and general fitness of applicants for positions; "Public Hearings" means a meeting of the Board open to the public, where any citizen, taxpayer or other interested party may appear and be heard subject to the duly adopted Rules and Regulations; "Public Record" means a record which the members of the public shall have the right to inspect within reason and during ordinary business hours; "Department Head" means the party in charge of any department, division or branch of the City government or service; and "Rules and Regulations" means a prescribed course of procedure adopted by the Board to promote the administration of the Provisions of this Act and the System hereby created.

Section 3. UNCLASSIFIED SERVICE. The following named officials, persons and agencies of the city shall constitute the "Unclassified Service" (a) officers elected by popular vote and their successors in office; (b) principals, supervisors, teachers and instructors, engaged in supervising or teaching in the public schools, and all employees of the City Board of Education; (c) the Personnel Director provided for by this Act; (d) independent contractors receiving

their remuneration from public funds under contract awarded by competitive bidding; (e) common laborers not engaged in regular employment; (f) attorneys, physicians, surgeons, and dentists employed in their professional capacities; (g) the Judge of any municipal court; (h) Members of Boards who are not employed on a full-time basis and not required to devote their entire services to the city; and (i) Department Heads consisting of: (1) Chief of Police, (2) Fire Chief, (3) Head of Office and Clerical Department, (4) Superintendent of Streets and Sanitation, (5) Superintendent of Water and Electrical Plant Operations and Distributions System, (6) Director Recreation Department, and (7) Director Engineering Department and Sanitary Extensions.

Section 4. PERSONNEL DEPARTMENT CREATED. There is hereby created and established in and for the City of Dothan a Personnel Department, consisting of a "Citizens Supervisory Committee," a "Personnel Board", and a "Personnel Director," each of which shall have the power and authority, perform the duties and functions, and receive the remuneration hereinafter provided.

Section 5. PURPOSES OF PERSONNEL DEPARTMENT. Said Personnel Department shall, to the extent hereinafter provided, govern, supervise and control all individuals of the Classified Service, by Civil Service Rules and Regulations, and in the manner hereinafter authorized.

Section 6. CITIZENS SUPERVISORY COMMITTEE. The membership of the Citizens Supervisory Committee shall consist of qualified electors in the City of Dothan, who, upon the passage of this Act, are respectively the president or other chief executive officers by whatever name called, of the following respective organizations, associations, groups and unions, now existing in the City, and generally known as: (a) Chamber of Commerce, (b) Junior Chamber of Commerce, (c) Kiwanis Club, (d) Rotary Club, (e) Exchange Club, (f) Dothan Chapter of Alabama Federation of Women's Clubs, (g) Business and Professional Women's Club, (h) Parents and Teachers Association, (i) Pilot Club, (j) Lions Club, (k) Dothan Building and Construction Trades Counsel, and **(l) Carpenters Local Union.** The organizational or first meeting of the Committee shall be held one week from the day this Act became effective, at the City Hall, at eleven o'clock a.m. The failure of any one or more of those herein above designated to present themselves for membership on said Committee shall not affect the right of the remainder to constitute the initial membership unless there be less than five present. The committee shall designate one of its own members as chairman, and he shall be permitted to vote only in the case of a tie. The proposed members of the Committee present in the event less than five members attend the organizational meeting, shall adjourn the meeting and call a second organizational meeting at a time and place to be then determined, in no event beyond five days. The designated Members of the Committee shall have the right, respectively, to serve as Members of the Committee during the period which such members hold the position of chief executive in the respective organization, association, group or union, above identified. Any citizen of Dothan, at any time subsequent to the adjournment of the effective organizational meeting, may file with the Chairman of the Committee written objections to the right of any person to sit on the Committee, however, no grounds of objections shall be considered except those based on the ground that the person objected to is not the executive officer of one of the identified organizations, associations, groups or unions, and therefore not lawfully authorized to serve on the Committee. The chairman shall rule upon the objections in writing and the first order of business at the next meeting of the Committee shall be a report by the chairman of the objection and his ruling thereon. His rulings shall be final unless the objecting party within five days duly appeals to the Committee, in which event the seated members shall upon a hearing of the objection, after notice is duly given to the objecting party and the party objected to, determine the qualifications of the party objected to. The vote of a majority of the members of the Committee present shall govern in all matters if a quorum be present. The Committee may adopt, from time to time, such Rules and Regulations and modes of procedure as it deems expedient to enable it to dispatch its business in an orderly manner. The chairman may call upon the Chief of Police of the City to attend the meetings of the committee and preserve order and execute the decisions, rules and orders

of the Committee and of the chairman thereof. The chairman may punish for contempt of the committee in like manner and extent as may be done by the Judges of the Circuit Courts of this State. The Personnel Director, when selected, shall act as secretary and such secretary shall be the keeper and custodian of the minutes, records, property and paraphernalia of the Committee, and he may call upon the Personnel Board to furnish such supplies and a safe place for keeping the records and property. The expense and costs of giving notice of meetings shall be paid in the manner provided in this Act. The Committee shall meet within ten days after the organizational meeting to do all things necessary and proper to put into effect and operation the provisions of this Act, and thereafter the Committee shall meet in regular session on the third Tuesday in the month of March, of each year, at an hour to be determined by the chairman, to receive an annual report of the Personnel Board and to make such recommendations to the Board as it shall deem in the interest of the sound administration of this Act, to elect a successor of any member of the Personnel Board whose term of office expires before the next annual meeting of the Committee, and to transact such other business as may properly come before the Committee. The Chairman of the Committee or any five members thereof may call special meetings of the Committee to transact any business which may have arisen. All meetings shall be held at the City Hall, or some other public meeting place designated by the chairman. Notice of all call-meetings of the Committee shall be given by registered mail and by publication, in some daily newspaper published within the City, once each day for three consecutive days immediately preceding such meeting; such notice must be signed by the persons calling the meeting and the purposes thereof shall be briefly outlined. Notice of the annual meeting shall be given in like manner, but failure of any member to receive notice of any meeting, either annual or special, shall not invalidate any act of the Committee transacted at such meeting. A majority of the persons serving as members of the Committee shall constitute a quorum to do business, but less than that number may adjourn, and may compel the attendance of the absent members, in such manner and under such penalties as may be prescribed by the Rules and Regulations promulgated by the Committee. The Committee shall serve without compensation and shall have general supervisory control of the finances of the Personnel Department.

Section 7. ALTERNATE METHOD OF SELECTING BOARD. In the event the Committee shall fail for any reason to elect the Personnel Board for a period of thirty (30) days after this Act becomes effective, or in the event the Committee shall fail to fill any vacancy on the Personnel Board within a period of thirty (30) days after such vacancy occurs, then, and in that event, the Governor is hereby empowered, authorized and directed to appoint the members of said Board or fill any vacancy thereon.

Section 8. PERSONNEL BOARD. The Personnel Board shall consist of three members and they and their successors in office shall be elected or appointed by the Citizens Supervisory Committee and their terms of office shall be: two years, four years, and six years, respectively, beginning as of the effective date of this Act, and their successor in office shall serve for a period of six years and until their successor in office have duly qualified. The Committee shall designate the member whose term of office shall be two years; the member whose term of office shall be four years; and the member whose term of office shall be six years; and the chairman of the Board shall be the member chosen to serve for the term of six years. Each member shall be: (a) over twenty-one years of age, (b) of recognized good character and executive ability, (c) a bona fide resident of Dothan, and be a qualified elector of Dothan. No person shall be elected or appointed as a member of said Board if he is or has been within three years next preceding the date of his appointment a candidate for public office in the City of Dothan; and any member of said Board who shall receive an appointment to any public office in the City or Houston County or becomes a candidate for any public office in the City or Houston County shall forthwith forfeit his position as a member of said Board. Each member shall receive \$10.00 for each meeting of the Board actually attended by him, provided that no member shall receive more than \$200.00 for services during any one year. The Board shall meet once each month, on dates to be fixed by its Rules and Regulations, and of-

tener if it becomes necessary for the orderly dispatch of its business. The Board shall have the power and authority and it shall be its duty to: (a) select a Personnel Director of the City of Dothan; (b) adopt Rules and Regulations for the administration of the provisions of this Act; (c) approve, modify, revise and reject recommendations made by the Director; (d) make reasonable investigation of all charges or complaints presented to it, concerning the observance of the provisions of this Act; (e) enforce the provisions of this Act and the provisions of the Rules and Regulations made in pursuance thereof; (f) consider and determine all matters referred to it by the Director; (g) do all things necessary and proper to improve the administration of the Classified Service hereby established; (h) advise with and assist the Director in fostering and promoting the public interest; and (i) exercise all other powers, functions and duties provided by this Act or essential to its effective administration.

Section 9. PERSONNEL DIRECTOR. The Personnel Director shall be elected or appointed by the Personnel Board and he shall serve at the pleasure of the said Board; he shall be: (a) over twenty-one years of age, (b) of recognized good character and administrative ability, (c) a qualified elector of Dothan, and (d) a bona fide resident of Dothan. The salary of the Personnel Director shall be fixed by the Board, subject to the approval of the City Commission, however, within the following limitations: (a) not less than \$1500.00 nor more than \$1800.00 for the first year and (b) not less than \$900.00 nor more than \$1,200.00 for each subsequent year. The Director shall have power and authority and it shall be his duty to: (a) direct and supervise the administrative and technical activities of the department; (b) appoint from the Employment Register, with the approval of the Board, such employees and special assistants as may be necessary to effectively organize the Department and the System herein created; (c) attend all meetings of the Board and provide for recording its official acts; (d) prepare and recommend Rules and Regulations for the administration of the provisions of this Act; (e) recommend and on its adoption establish, administer and execute a plan for a **Classified Service in the City of Dothan**; (f) submit to the Board a Compensation Plan for all positions in the Classified Service; (g) Conduct Test, formulate Employment Registers and certify names of persons qualified for appointment under the Classified Service; (h) devise and administer an Employment Service Rating; (i) examine all payrolls or other compensation for personnel service, within the Classified Service, and to disapprove from time to time, any compensation which is not in line with the Compensation Plan adopted by the Board; (j) to establish and maintain a Roster of all of the officers and employees in the Classified Service; (k) make reasonable investigations pertaining to personnel salary scales and employment conditions in the Classified Service as may be requested by the Board, the Citizens Supervisory Committee or by the Governing Body of the City; (l) make investigations concerning the administration and effect of this Act, the Rules and Regulations made thereunder and to report his findings and recommendations to the Board; (m) make at least one comprehensive annual report to the Board, which shall include the Efficiency Rating of each person employed under the Classified Service, and (n) perform any other act or acts required of him under the provisions of this Act, or by the Personnel Board or by the Citizens Supervisory Committee, which may be necessary or proper to carry into effect the purposes and objectives of this Act.

Section 10. RULES AND REGULATIONS. No Rule or Regulation shall be adopted by the Board unless it is proposed at a prior meeting and public notice thereof given by posting a copy of same within the vestibule of the City Hall and any citizen or taxpayer in the City of Dothan may appear before the Board and advocate or protest the adoption of such Rule or Regulation. The scope of all Rules and Regulations shall be: (a) to provide a method for administering the Classification Service and the Compensation Plan, adopted by the Board; (b) to establish, maintain, consolidate and cancel Personnel lists; (c) to provide a system for receiving, accepting or rejecting application for test; (d) to prescribe the manner of giving tests, grading papers and otherwise determining the qualifications of applications for raising under the Classified Service; (e) pertaining to the adoption and application of a Service Rating System; (f) pertaining

to uniform recommendations as to working conditions, hours of employment, leaves of absence and vacations of employees in the Classified Service; and (g) the order and manner in which suspension from service may be applied to persons in the Classified Service. All Rules and Regulations, duly adopted by the Board, if not inconsistent with the provisions of this Act, shall have the force and effect of law and shall become effective when a copy thereof is recorded in the office of the Clerk of the City.

Section 11. CLASSIFICATION OF POSITIONS. The Director shall, as soon as practicable after his appointment, ascertain and record an outline of the duties of each position to be filled from the Classified Service, and, after consultation with the Appointing Authority, recommend to the Board a Classification Plan, together with proposed Rules and Regulations for its administration. Such plan shall show each class of position in the Classified Service, separately stated as to each Appointing Authority, and, when approved by the Board, the plan together with the Rules and Regulations for its administration shall be made public. Each such class shall include positions requiring duties which are substantially similar in respect to the authority, responsibility and the character of the services required, and shall be designated by a title indicative of such duties. Each class shall be so defined that the same general requirements as to education, experience, capacity, knowledge, skill, and aptitude are demanded of incumbents, for the proper performance of their respective duties. The same test of fitness may be used in selecting qualified appointees, the same schedule of pay may apply where equitable and the same practical plan of promotion and demotion shall as far as practicable be followed. The Director shall have authority and it shall be his duty to investigate the number of employees in any department or office in the city and if in his opinion, after conference with the Department Head, there are an excessive number, or an insufficient number of employees, in proportion to the amount of work required in such department or office, the Director shall recommend to the Board that the excessive number of employees be laid off or transferred, either permanently or temporarily in accordance with the provisions of this Act; or the Director, if in his judgment there be an insufficient number of employees, may, with the approval of the Board, certify to the Appointing Authority additional names to fill such positions, and the appointing Authority shall forthwith put into effect the order of the Personnel Board, in such respect.

Section 12. COMPENSATION PLAN. The Director shall prepare and recommend to the Board, after consultation with the Appointing Authority and other officers, a uniform Compensation Plan for all employees in the Classified Service; such plan shall include, for each class of positions, a minimum and maximum rate, not inconsistent with such rate or rates as may be fixed by law, in other specific instances. The Director, in establishing such rates, shall give consideration to the experience in recruiting for positions in the Classified Service, the prevailing rates of pay for comparable services in public and private employment, living costs, maintenance or other benefits received by employees, and the financial condition of the City. Such Compensation Plan shall take effect when approved by the Board, and same may be thereafter modified or revised at the pleasure of the Board. Each employee in the Classified Service shall be paid initially at the minimum rate fixed in the Compensation Plan for the Class of Positions in which he is employed, and the raising or lowering of the pay of an individual, within such limitations shall be done upon request of the Appointing Authority, with a similar recommendation by the Director, and the approval of the Governing Body. However, the foregoing provisions may be released by the Board in fixing the compensation of persons employed by the City at the time this Act becomes effective.

Section 13. TESTS. The Director shall prepare and conduct tests for the purpose of enabling him to establish **Employment Registers for the various** classes of positions in the Classified Service. The tests shall be prepared and conducted so as to take into consideration elements of character, reputation, education, aptitude, experience, knowledge, physical fitness and other pertinent matters. Such tests may be given in writing, orally, or in any other manner which will enable the Director to determine the fitness of the applicant for acceptance

into some class of position in the Classified Service. Public notice of the time, place and general scope of every test must be given by the Director. Promotional Tests shall be conducted in like manner and embrace the same subject matter as initial test for similar Classified Employment. Admissions to test shall be open to all persons who: (a) reasonably appear to the Director to possess the required qualifications, (b) may be lawfully appointed to a position in the class for which a list is to be established, and (c) pays the fees, if any, prescribed by the Rules. The Director may, however, reject the application of any person for admission to test, or may strike the name of any person from a list, or refuse to certify the name of a person on a list for a position, if he finds that such person: (a) lacks any of the required qualifications; (b) is physically unfit to perform any of the duties of the position in which he seeks employment; (c) is addicted to the habitual use of drugs or intoxicating liquors; (d) has been convicted of any crime involving moral turpitude; (e) has been dismissed from public services for delinquency; (f) has made a false statement of a material fact pertaining to his qualifications and service; and (g) practiced or attempted to practice any fraud or deception in his application or Test, or in attempting to secure appointment. The names of persons employed by the City at the time this Act becomes effective shall be placed on the Employment Roster without rating and they shall be subject to all the provisions of this Act, except a certificate from the City Commission that any employee of the City has been employed in the same line of service for a period of two years and that such employee has rendered satisfactory service to the City shall relieve such person of taking any test authorized by the provisions of this Act, to continue to hold such position provided such employee is otherwise qualified. An honorable discharged veteran of the armed forces of the United States who has served as much as one year during any war period shall receive a credit equivalent to five points together with an additional point for each year's additional service, in the determination of his grade on any test taken under the provisions of this Act. Any veteran who has service-connected disability which entitles him to compensation from the United States, or his wife if he is not qualified for city employment, or the widow of any person who died or was killed as a result of his services in the armed forces of the United States, or the widow of an honorably discharged veteran of the United States, who served during any war period, shall be entitled to and shall receive the equivalent of ten points, which points shall be added to the grade made on any test taken under the provisions of this Act.

Section 14. FILLING VACANCIES. When any vacancy occurs in the Classified Service the Appointing Authority of the City shall notify the Director and the Director, subject to the approval of the Board may fill such vacancy by promotion, transfer or demotion, where practicable. However, when it is necessary to fill a vacancy by appointment, the Appointing Authority shall submit to the Director a statement of the title of the position and the desired qualifications of the person to be appointed, and request the Director to certify to him the names of persons eligible for appointment to the position. The Director shall certify to the Appointing Authority the name of three ranking eligibles from the most appropriate register and, if more than one vacancy is to be filled, the name one additional eligible for each additional vacancy, or if agreeable to the Appointing Authority, all of the names on the register, if there be less than the above required number. If it is impossible to locate any of the persons so certified or if any of the certified persons decline to accept the position, and there are by reason thereof less than the above required number of eligibles, the Appointing Authority may request that additional names be certified until the proper number of eligible persons have been certified. The Appointing Authority, shall, within ten days, appoint one of those whose names are certified to fill each vacancy. In the event the requested number of eligibles cannot be certified to the Appointing Authority, he may choose from the remaining certified names or may elect to make a provisional appointment as provided in this Act. In the event there does not exist an Employment Register, which the Director deems appropriate for the class in which the position is established, he shall prepare such a register within a reasonable time after receipt of the request of the Appointing Authority that eligibles be certified. Whenever an eligible has been certified to an

objected by the Appointing Authority as many as three times, the Director may remove the name of such person from the Employment Register.

Section 15. TRANSFER. The Appointing Authority may, when desirable, transfer a Classified Employee under his jurisdiction from one position to another in the same class. Any Classified Employee may be transferred from one department to another in the same class, provided the Director has authorized the transfer and it has been approved by the Appointing Authority concerned. The Appointing Authority shall give written notice to the Director of each Transfer made by him and same may be disapproved by the Board, after a hearing.

Section 16. DEMOTIONS. An Appointing Authority may, with the approval of the Director, Demote a Classified Employee under his jurisdiction from a position in one class to a position in a lower class, upon giving written notice stating the reasons thereof, but such Demotion may be disapproved by the Board, after a hearing.

Section 17. PROVISIONAL APPOINTMENTS. Whenever in the opinion of the Director, it is impossible within a reasonable time to certify eligible persons for appointment to a vacancy in the Classified Service, the Appointing Authority may nominate person for the vacancy to the Director. If such nominee is found by the director to have had experience and training which appear to qualify him for the position, the Director may authorize the Appointment of such person to such vacancy only until an appropriate eligible Register can be established and an Appointment made therefrom. Such Provisional Appointments shall be for a period of ninety (90) days and may, with the approval of the Director, be extended for an additional ninety (90) days, however, in no event shall a Provisional Appointment be made for a period aggregating more than 180 days.

Section 18. WORKING TEST PERIOD. (a) Every person appointed to a position in the Classified Service, after certification of his name from a Promotion List or an Employment Register, shall be tested by a Working Test while occupying such position. The period of such Working Test shall commence immediately upon appointment and shall continue for such time, not less than six months, as shall be determined by the Director. The Appointing Authority shall observe the employee's attitude toward his work, his capacity to perform the duties required of him, any habits which may affect in any manner the character of service performed by him, and his general dependability, during such Working Test Period, and report to the Director, periodically as required, in writing, the results of such observation. The Appointing Authority may remove an employee, after a reasonable Test Period, if in his opinion the employee is unable or unwilling to perform the prescribed duties satisfactorily, or if his habits or dependability do not merit his continuance in the service. Notice of such removal, with the reasons assigned therefor, shall be given to the employee and the Director, at the time of the discharge. No more than two employees shall be removed successively from the same position by the same Appointing Authority, during their working Test Period, without the approval of the Director. The Director may remove an employee during his Working Test Period if he finds, after notice and an opportunity to be heard, that such employee was appointed as a result of a fraud or error. (b) Ten days prior to the expiration of an employee's Working Test Period, unless the employee has been previously removed, the Appointing Authority shall notify the Director in writing whether the service of the employee has been satisfactory and whether he will continue the employee in his position, and a copy of such notice shall be given to the employee. If he is not to be continued in the position, after such notice the employee shall not be paid for work performed after the expiration of his Working Test Period. (c) If any employee is removed from his position during his Working Test Period and the Director determines that he is suitable for appointment to another position, his name may be restored to the list from which it was certified. If any such employee was a regular employee in another position in the Classified Service immediately prior to his appointment and such position has not been filled, he shall be reinstated and, if such position has been filled, his name shall be placed on the reemployment list.

Section 19. SERVICE RATINGS. The Director shall establish, in co-operation with the Appointing Authorities, a system of Service Ratings, based

upon standards of employment and output of employees in each class of positions in the Classified Service, which may be amended from time to time as the necessity arises, and such Service Ratings shall be considered in such manner and with such weight as shall be provided by the Rules and Regulations. (a) in determining salary increases or decreases, within the established limits; (b) as a factor in Promotional Test; (c) as a factor in determining Layoff's when forces should be reduced because of insufficient funds or work; (d) in determining the order in which names are to be placed on the Re-employment Lists; and (e) as a means of discovering employees who should be promoted, demoted, transferred or dismissed. Each Appointing Authority shall report to the Director, in such manner and at such times as the Rules and Regulations require, the Service Ratings of employees in his division or department and shall also disclose such other information as the Director may request, to enable the Director to determine the Service Ratings of all employees. Each employee shall be given reasonable opportunity to inspect the records of the Department which show his Service Ratings and the Service Ratings of other employees in the same class and division.

Section 20. LAY-OFFS. An Appointing Authority may Lay-Off employees in the Classified Service, in accordance with the Rules and Regulations adopted under the provisions of this Act, whenever he deems it expedient because of shortage of work or funds or material changes in duties or organization, and Seniority and Service Ratings of employees shall control in determining the order of Lay-Offs. The Appointing Authority shall give written notice to the Director of every proposed Lay-Off, at least ten days before the effective date thereof, and the Director shall make such orders relating thereto as he considers necessary to secure compliance with the established Rules and Regulations. The name of any regular employee laid-off shall be placed on the appropriate Re-employment List.

Section 21. DISCHARGES. (1) The Appointing Authority may discharge an employee in the Classified Service, whenever he considers the good of the **service and the welfare of the city will be best served thereby, by making and** filing in his office an order to that effect together with the reasons assigned for the discharge, however, the power to discharge shall not be capriciously or arbitrarily exercised in any case; a copy of such order and the reasons assigned shall be served upon each the employee and the Director before the effective date thereof; and a copy served upon the Director shall be filed and retained in his office as a Public Record. The discharged employee may, within ten days after receipt of the discharge notice, appeal the action of the Appointing Authority to the Board, by filing a written answer to the chairman with a demand for a hearing. It shall be the duty of the Board to fix a time and place for a hearing on the appeal, and to give notice thereof to the employee and the Appointing Authority, which appeal shall be heard by the Board on a date not later than twenty days from the date the appeal is taken. If the Appointing Authority is sustained by the Board, the discharge shall be final as of the date thereof; if the discharge is not sustained, the employee shall continue in the service of the City and shall be entitled to full compensation.

(II) A person in the Classified Service may also be removed or disciplined in the following manner: charge may be filed with the Director, by any officer, citizen or taxpayer of the city and the Director shall, after an investigation, certify the charges filed, together with the results of his investigation, to the Personnel Board and said Board shall set a day for a public hearing on such charges. The Board shall on the date fixed receive testimony offered in support of and in denial of such charges and from such testimony make a finding of the facts and applicable law involved, in writing, and make such orders and decrees with reference thereto as may be just and reasonable and for the best interest of the city. The findings of fact by the Board, based upon its records and the testimony taken before it, shall be conclusive if supported by substantial evidence.

(III) If a person in the Classified Service relies upon a direct order by a superior: (a) as a defense or excuse for the violation of any of the provisions of this Act or the Rules and Regulations adopted thereunder, or (b) an omission to observe the provisions of this Act or the Rules and Regulations adopted there-

under, he must establish such direct order of a superior to the reasonable satisfaction of the Board.

Section 22. SUSPENSIONS. An Appointing Authority may, from time to time, suspend an employee without pay or other compensation, as punishment for improper behavior, but no employee may be suspended for a period or periods within the aggregate of more than thirty days in any year's service. A Suspension may be affected by serving written notice upon the employee together with a statement clearly setting forth the causes thereof; of copy of which must be forthwith mailed or delivered to the Director. The suspended employee may file with the Board and the Appointing Authority a written answer or explanation of the assigned charges and such answer shall be preserved as a part of the Public Record and the Board may, for cause shown, set aside such suspension order.

Section 23. POLITICAL ACTIVITIES PROHIBITED. (a) No person shall be appointed or promoted to, or demoted or dismissed from, any position in the Classified Service, or in any way favored or discriminated against with respect to employment in the Classified Service because of his political or religious opinions or affiliations. (b) No person shall seek or attempt to use any political endorsement in connection with any appointment to a position in the Classified Service. (c) No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment, or advantage in appointment, to a position in the Classified Service, or an increase in compensation or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person, or for any other consideration. (d) No employee in the Classified Service shall, directly or indirectly, pay or promise to pay any assessment, subscription or contribution for any political organization, or purpose, or solicit, or take any part in soliciting any such assessment, subscription or contribution. No person shall solicit any such assessment, subscription or contribution of any employee in the Classified Service. (e) No employee in the Classified Service shall be a member of any national state, or local committee of a political party, or an officer of a partisan political club, or a candidate for nomination or election to any public office, or shall take any part in the management of the affairs of any political party, or any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote. (f) Any officer or employee in the Classified Service who violates any of the foregoing provisions of this Section shall forfeit his office or position and may not be again employed by the City of Dothan. Provided however, the provisions of this Act shall not preclude any employee in the Classified Service who has been elected to public office or nominated or selected as a member of a committee of a political party prior to the effective date of this Act from discharging duties of his office.

Section 24. POLITICAL ACTIVITIES OF DEPARTMENTS HEADS PROHIBITED. (a) No employee named in Section 3 (i) of this bill shall: (a) use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure for any person an appointment, or advantage in appointment, to a position in the Classified Service, or an increase in compensation or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person, or for any other consideration. (b) Directly or indirectly, pay or promise to pay any assessment, subscription or contribution for any political organization, or purpose, or solicit, or take any part in soliciting any such assessment, subscription or contribution. No person shall solicit any such assessment, subscription or contribution of any employee in the Classified Service. (c) Be a member of any national, state or local committee of a political party, or an officer of a partisan political club, or a candidate for nomination or election to any public office, or shall take any part in the management of the affairs of any political party or any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote. Any such officer or employee who violates any of the foregoing provisions of this Section shall forfeit his office or position and may not be again employed by the City of Dothan.

Section 25. INVESTIGATIONS. The Board and the Director shall make a study of all matters touching the administration and enforcement of the pro-

visions of this Act and the Rules and regulations adopted thereunder. To this end, the Board or the Director may visit all offices and places of employment to ascertain information and to advise with the heads of the various departments concerning their method of handling matters effecting the Service; and to ascertain if the provisions of this Act and the adopted rules and regulations are fully complied with. The Board or Director, in the course of such inquiries, shall have the power to administer oaths, subpoena and require the attendance of witnesses and the production of records, books, papers and documents pertaining to the subject-matter under Investigations. The Board, or the Director, shall have the authority to inquire into the number of employees in any office or department and, after notice and an opportunity to be heard by the Appointing Authority and the employees affected, the Board may determine there is an excessive number of employees in such office or department, in proportion to the amount of work required, and, in that event, it shall issue an order in writing to the Appointing Authority to eliminate the number of employees found to be excessive, in the manner prescribed by this Act or the Rules and Regulations, and such order shall be forthwith complied with by the Appointing Authority. The Board and the Director shall also study the organization of the system, procedure of administration and other matters which affect the successful operation of the system and make such lawful changes as may increase efficiency or economy.

Section 26. CORRUPT PRACTICES. (a) No person shall make any false statement, certificate, mark, rating or report with regard to any Test, certification or appointment made under any provision of this Act or in any manner commit or attempt to commit any fraud preventing the impartial execution of the provision of this Act and the prescribed Rules and Regulations. (b) No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service or other valuable consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the Classified Service. (c) No employee of the Department or other person shall defeat, deceive, or obstruct any person in his right to an examination, eligibility, certification or appointment under the provisions of this Act, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any persons with respect to employment in the Classified Service. (d) No person, whether employed at the time of the passage of this Act in the Classified Service as defined in this Act or who applies for appointment to any position in the Classified Service after the passage of this Act, shall be allowed to fill any position within the Classified Service, or allowed to continue to hold such position, if said person is related by blood or marriage within the fourth degree to the Public Officer who is or would be his or her superior, or so related to any member of any Board or Body constituting the Appointing Authority over such position, and the Personnel Board and Personnel Director shall administer this Act accordingly. The Commission of any such corrupt practice shall constitute a misdemeanor and shall be punished in the manner provided by the general laws of the State.

Section 27. CERTIFICATIONS OF PAYROLLS. (a) It shall be unlawful for any City official, employee or other officer to pay or cause to be paid any salary or compensation to any person in the Classified Service of the City, for personal services, unless the payroll, estimate, voucher, or account, for such compensation, containing the name of the persons to be paid, shall bear the certification of the Director that the person or persons named therein are employees of the city and are legally entitled to receive the sums stated therein. (b) Any sum paid in violation to the provisions of this Act or the Rules and Regulations adopted thereunder may be recovered, in an action maintained in the name of the City by the City Attorney, or by any Citizen or Taxpayer of the City, from the officer who made, authorized or approved such payment, or who signed or counter-signed any voucher, payroll, check, or warrant for such payment, or from the sureties on the official bond of such officer, and all money recovered in such action shall be paid into the city treasury. (c) Any person appointed or employed in violation of the provisions of this Act, the Rules and Regulations adopted, or the orders of the Board, who perform service for which he cannot be lawfully paid out of the municipal funds, may maintain an action against the

Appointing Authority to recover the agreed pay for such services, or the reasonable value thereof, and no officer shall be reimbursed by the City at any time for any such sum recovered and paid. (d) If the Director wrongfully withholds certification of the payroll, voucher, or account of any employee, such employee may maintain a proceeding to compel the Director to certify such payroll, voucher or account. (e) A thirty-day month shall be used for the purpose of calculating the pay of employees compensated on a monthly basis.

Section 28. ATTENDANCE OF WITNESSES: FEES: FALSE OATHS. Any person who shall be served with a subpoena, issued in the course of an investigation or hearing conducted under any provision of this Act, to appear and testify or to produce records, books and papers, who shall disobey or neglect to obey any such subpoena shall be guilty of a misdemeanor and punished as provided by the general laws of the state. The fees of witnesses for attendance shall be the same as fees of witnesses before the courts of record and shall be paid as provided in this Act. Any judge of a court of record, upon application of a member of the Board or the Director, shall compel the attendance of witnesses, the production of records, books, and papers and the giving of testimony before the Board, by attachment, contempt proceedings or otherwise, in the same manner as the production of evidence may be compelled before said court. Any person who, having taken oath or made affirmation in the cause of any investigation or hearing under the provisions of this Act shall willfully and knowingly testify or declare falsely shall be guilty of perjury and upon conviction shall be punished as provided by the general laws of the State. The Director or the Board may require the Attendance of employees who are needed as witnesses without subpoena.

Section 29. EXPENSES OF THE DEPARTMENT. The salaries and other compensation herein authorized to be paid to the members of the department herein created, together with the necessary expenses actually incurred by such Committee, Board or Director shall be paid by warrant or requisition drawn by the Personnel Board and signed by at least two members thereof; such warrant or requisition shall be drawn upon the same officer, payable in the same manner, and out of the same funds, as the salaries of the members of the City Commission are paid. The Personnel Director shall, within ninety days after his appointment, submit a budget of operating expenses to the Personnel Board, and furnish a copy thereof to the Governing Body of the City, for the fiscal year ending October 1, 1947 and he shall likewise submit a budget of such operating expenses not less than forty-five days before the beginning thereof for each subsequent fiscal year; and such budgets may include expenses incurred in any previous year and not duly paid. The Governing Body of the City may appear before the Board and protest the approval of any item which it deems unnecessary or excessive, however, the Board may adopt a reasonable budget over the protest of the Governing Body of the City.

Section 30. USE OF BUILDING. The officials of the City are hereby required to furnish to the Board and the Director necessary facilities for conducting investigations and holding tests and examinations provided for under the provisions of this Act.

Section 31. LEGAL SERVICE. It shall be the duty of the City Attorney to furnish legal advice and legal service to the Board and the Director, in the administration of the Provisions of this Act and the Rules and Regulations adopted in pursuance thereof. However, the Board is hereby authorized to employ special counsel when deemed necessary to preserve and enforce the Provisions of this Act and the City is hereby required to pay reasonable compensation for such service.

Section 32. RECORDS OF THE DEPARTMENT. The records of the Department, except such records as the Rules and Regulations may require to be held confidential for reasons of public policy, shall be Public Records and open to public inspection, subject to reasonable regulations as to the time and manner of inspection.

Section 33. COURT PROCEEDINGS. Orders of the Personnel Board may be enforced by mandamus, injunction, quo warranto or other appropriate proceedings, in any court of competent jurisdiction. Any person or City Official directly interested may, within five days, appeal to the Circuit Court of Houston

County from any order of said Board by filing notice thereof with the Board, whereupon said Board shall certify to a transcript of the proceedings before it and file the same in said Court. The findings of fact by said Board, duly set forth in the transcript, if supported by substantial evidence adduced before said Board, after notice to the interested party or parties and after affording such parties an opportunity to be heard, shall be conclusive on any appeal. The issues on such appeal shall be made up under the directions of the court and within thirty days after such transcript is filed in court; and the trial thereof shall proceed on the evidence contained in such transcript, if it appears that the evidence was taken after such notice and opportunity to be heard. If upon such appeal the court finds that the filing, order or action appealed from is unlawful or unreasonable within the meaning of this Act, it shall have power to vacate or modify the same.

Section 34. SEVERABILITY. This Act is hereby declared to be divisible and severable and the holding of any Provision thereof to be void, ineffective or unconstitutional for any cause, by any court of competent jurisdiction, shall not in any manner serve to affect the other Provisions thereof and such remaining portions of said Act shall remain in full force and effect.

Section 35. REPEALING CLAUSE. All laws or parts of laws and all ordinances or parts of ordinances inconsistent with any of the provisions of this Act are hereby expressly repealed.

Section 36. EFFECTIVE DATE. This Act shall become effective upon its adoption and approval or when it otherwise becomes law. However, a period of ninety days thereafter shall be allowed in which to organize and prepare for the administration of the provisions of the Act.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of the Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, on the following dates: June 12, 19, 27, July 3, 1947; in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

J. T. LANE, JR.

Sworn to and subscribed before me on this 10th day of July, 1947.

EDWARD R. WHALEY,

(SEAL)

Notary Public.

Also:

By Mr. Hardwick:

S. 293. To create and establish in Houston County, in lieu of the county court, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LEGISLATION

Notice is hereby given that there will be introduced for passage at the present session of the Legislature of Alabama a local bill providing in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To create and establish in Houston County, in lieu of the county court, a court of record with county-wide jurisdiction of criminal cases and civil actions at law and in equity providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA

Section 1. Inferior court created. There is hereby established in Houston County a court with county-wide limited jurisdiction of criminal cases and civil actions at law and in equity, which court shall make final records in all cases except cases cognizable before justices of the peace. The court shall be known as "The Inferior Court of Houston County Alabama". It shall be in lieu of the county court, which is hereby abolished.

Section 2. JURISDICTION. (a) Except as provided in Subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases including bastardy proceedings, actions for unlawful detainer and for the recovery of possession of land), cognizable before the circuit court, or a county court, or the juvenile court, or justices of the peace, or courts created in lieu thereof, and all court of like jurisdictions. It shall have authority to exercise general superintendence of justice courts, and to punish contempts by fine not exceeding fifty dollars (\$50) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure, and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds one thousand dollars (\$1,000) nor take cognizance of any matter or proceeding in equity, except suits for divorce or separate maintenance and cases involving domestic relations or the custody of children.

Section 3. JUDGE. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1948 and every 6 years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) Immediately after the passage of this Act, the Governor shall commission J. Theodore Jackson as judge of the Inferior Court of Houston County, Alabama, and J. Theodore Jackson shall hold office until his successor is elected or appointed as provided herein.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Houston County, learned in the law, and has been licensed to practice law in this State for five years. The judge shall not practice law in any of the courts of this State or of the United States, and he shall be subject to the same penalties and obligations as circuitjudges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(d) The judge shall receive an annual salary of five thousand dollars (\$5,000), payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid. In addition to his salary, the judge shall receive an annual allowance of six hundred dollars (\$600) for secretarial assistance, which allowance shall be paid in equal month-

ly installments from the general funds of the county at the times his salary is paid.

(e) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat; (3) administer oaths and take acknowledgements; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits for divorce or separate maintenance and cases involving domestic relations or the custody of children.

(f) The judge shall keep an office in the county courthouse or such other place as may be provided by the governing body of the county. His office shall be suitably equipped, furnished, and provided at the expense of the county with such office supplies and stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court.

(g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

Section 4. SESSIONS. (a) Sessions of the court shall be held at the county courthouse, and the court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Monday in each month for the trial of criminal cases, and on the third Monday in each month for the trial of civil actions at law. Special sessions may be held at such times as the judge shall designate in orders spread upon the minutes. Sessions may continue so long as may be necessary for the court to complete its business.

(b) The sheriff shall, without additional compensation, attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court.

Section 5. PRACTICE AND PROCEDURE. (a) The court shall have four divisions, namely, law, equity, criminal, and juvenile. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competency of witnesses, admissibility of evidence, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead answer or demur thereto within twenty days. In suits in equity the defendant shall have thirty days after the perfection of service on him in which to plead, answer or demur.

Section 6. JURIES. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 7. COSTS. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to fees for witnesses, the court shall have authority to tax costs for the use of the county as follows: 1. in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100), the same as in justice courts; (2) in every other civil action at law, the same as in the circuit court; (3) in each equity case, the same as in the circuit court; (4) in each criminal case involving an offense of which justice of the peace have final jurisdiction, the same as in justice courts; (5) in every other criminal case, the same as in the county court.

(c) A trial tax of one dollar (\$1.00) shall be collected for the use of the

county in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100). In every other civil action at law, in every suit in equity, and in every criminal case, a trial tax of three dollars (\$3.00) shall be collected for the use of the county.

(d) No costs shall be taxed in juvenile cases.

Section 8. CRIMINAL PROSECUTIONS. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge or the clerk of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) The county deputy solicitor shall, without additional compensation, prosecute for the State all criminal cases commenced in such court. In the event the deputy solicitor is absent or disqualified, the judge shall appoint a special prosecutor who shall be paid twenty-five dollars (\$25) for each day he is called upon to serve.

Section 9. APPEALS. Any party aggrieved by a judgement order or ruling of the court may appeal the decision as herein provided.

1. If the case is a civil case in the law division of the court, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Article 1 of Chapter 3, Title 13 of the 1940 Code.

2. If the case is in equity, the appeal lies directly to the Supreme Court of Alabama and shall be governed by the provisions of Chapter 16, Title 7 of the 1940 Code.

3. If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Section 371 and 372 of Title 13 of the 1940 Code.

4. In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Section 90 of Title 13 of the 1940 Code.

Section 10. JUDGMENTS. The party in whose favor a judgement is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. CLERK AND REGISTER. (a) The circuit clerk of Houston County and the register of the circuit court shall be the clerk and register, respectively, of the court herein established. The Director of the County Department of Public Welfare shall be clerk of the juvenile division and shall serve without additional compensation. In addition to his regular compensation, the clerk and register each shall receive for such services the sum of six hundred dollars (\$600) annually which sum shall be payable in equal monthly installments from the general fund of the county. Each shall have authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the court's business. Each shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk and register, respectively, to keep all records, files, and dockets of the court in an orderly manner and perform all other duties required by the judge.

(c) The clerk and register, respectively, shall have power and authority: (1) to administer oaths and take acknowledgements and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments and releases; (3) to approve bonds in civil and criminal cases; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter, conferred on clerks and registers of the circuit courts.

Section 12. TRANSFER OF PENDING CASES. All cases and actions pending in the county court on the effective date of this Act shall be transferred to the court herein created and shall proceed as thought begun therein. As to judgments rendered by the abolished court, this court shall have the same power to control, and may issue executions and other processes thereon in all respects as thought the judgments had been rendered by it.

Section 13. SEVERABILITY. The provisions of the Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. REPEALER. All laws in conflict with this Act are repealed to the extent of the conflict.

Section 15. EFFECTIVE DATE. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Dated this the 27th day of May, 1947.

Houston County Bar Association

PROOF OF PUBLICATION

STATE OF ALABAMA HOUSTON COUNTY

Personally appeared before the undersigned, a Notary Public in and for said County and State L. S. Deal Who deposes and says on oath, that he is Editor-Publisher of THE HOUSTON HERALD, that said Houston Herald is printed in the English language; is printed and published in Houston County; has a general circulation in Houston County, and is mailed under the second class mailing privilege of the United States Postoffice department from the Dothan postoffice. Said Houston Herald was published for more than fifty-two consecutive weeks prior to, and continuously throughout the publication dates of the attached advertisement, which was published for four consecutive weeks on the following dates: May 29 & June 5-12-19 1947

(Signed) L. S. DEAL,
Editor-Publisher.

Sworn to and subscribed before me this the 26th day of June 1947

JAMES L. ACREE,
Notary Public.

(SEAL)

Also:

By Mr. Hardwick:

S. 301. To amend Section 1 of Act No. 11, approved May 19, 1945 (Local Acts, 1945, page 8), which fixes the compensation, salaries, and allowances payable to the Sheriff of Houston County and the employees of his office.

With notice and proof thereto attached and herewith exhibited as follows:

Of The Proposed Introduction Of A Local Bill At The 1947 Session Of The Legislature of Ala.

TO WHOM IT MAY CONCERN:

Notice is hereby given that a local bill will be introduced for passage at the 1947 session of the Legislature of Alabama, providing in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 11, approved May 19, 1945 (Local Acts, 1945, page 8), which fixes the compensation, salaries, and allowances payable to the Sheriff of Houston County and the employees of his office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1 of Act No. 11, approved May 19, 1945 (Local Acts, 1945, page 8), which fixes the compensation, salaries, and allowances payable to the Sheriff of Houston County and the employees of his office, is amended to read as follows: "The Sheriff of Houston County, Alabama, shall receive and be paid an annual salary of four thousand eight hundred dollars (\$4,800), in lieu of other compensation, fees and emoluments, except as otherwise hereinafter provided for in this Act. The said sheriff shall be allowed the sum of twelve thousand four hundred eighty dollars (\$12,480) per annum for help and assistants as follows: one chief deputy at two thousand seven hundred dollars (\$2,700) per annum; two deputies at two thousand one hundred dollars (\$2,100) each per annum; two deputies who shall also serve as jailors at one thousand eight hundred dollars (\$1,800) each per annum and one bookkeeper-deputy at one thousand nine hundred eighty dollars (\$1,980) per annum. The Sheriff of Houston County shall further be allowed his necessary expenses in apprehending and returning prisoners from other States, up to and including four hundred dollars (\$400) per annum; said expense money to be paid on requisition filed with and approved by the Board of Revenue of Houston County, Alabama. All payments as provided for in this Act shall be paid out of the general funds of Houston County, in equal monthly installments, at the end of each month, upon separate warrants drawn in the same manner as employees of Houston County are paid. The selection and appointment of said deputies, jailors and bookkeeper shall be made by the Sheriff of Houston County, and they shall serve only at his pleasure."

June 17-20-27-July 4th, 1947.

PUBLISHER'S AFFIDAVIT—THE TRI-STATE NEWS

STATE OF ALABAMA,
HOUSTON COUNTY

Personally appeared before the undersigned, a Notary Public in and for said county and state Lawrence P. Coe Editor Publisher of the Tri-State News, a newspaper published at Dothan, in Houston County, Alabama, who deposes and says on oath that a copy of the attached advertisement appeared once a week for four consecutive weeks on the following dates June 17, 20, 27 July 4, 1947 in THE TRI-STATE NEWS.

Signed LAWRENCE P. COE,

Sworn to and subscribed before me this 14 day of July 1947

THE TRI-STATE NEWS.

LOUELLE O'NEAL,

(SEAL)

Notary Public.

Also:

By Mr. Langan:

S. 303. To alter or rearrange the boundary lines of the Town of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said Town all territory now within such

corporate limits and also certain other territory in Mobile County, Alabama, and to provide for the filing of a petition to the Town Council of Chickasaw by thirty qualified electors residing the territory hereby annexed requesting that an election be held on the question of returning to the original boundaries, method of holding said election, payment of the costs thereof, and effect of the result of said election.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of the State of Alabama convened in regular session for passage of a local bill containing in substance as follows:

A BILL TO BE ENTITLED AN ACT

To alter or re-arrange the boundary lines of the Town of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, and to provide for the filing of a petition to the Town Council of Chickasaw by thirty qualified electors residing **the territory hereby annexed requesting that an election be held on the** question of returning to the original boundaries, method of holding said election, payment of the costs thereof, and effect of the result of said election. Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Chicksaw, Mobile County, Alabama, be, and the same hereby are altered, or re-arranged so as to include within the corporate limits of said town all territory now within said corporate limits of said town and also certain other territory in Mobile County, Alabama; all of which territory is more particularly described as being all of the territory lying within the County of Mobile, State of Alabama, included and embraced within the boundaries herein set out, to-wit: Commencing at a point on Eight Mile Creek where Sections 16, 17, 20 and 21 of Township 3 South, Range 1 West meet and are contiguous to each other, and proceeding thence Eastwardly along the Section line between Sections 16 and 21 of Township 3 South, Range 1 West, to a point 1130 feet West of the Southeast corner of Section 16, thence Northwardly to the south bank of a stream which is a branch of Chickasaw Creek a distance of approximately 435 feet, thence Northwardly and Eastwardly along the meanderings of said branch to where the same joins the Chickasaw Creek, thence Eastwardly and Southwardly along the South and West Banks of the meanderings of said Chickasaw Creek to a point where the West bank of said Chickasaw Creek intersects the half section line between the North and South halves of Section 26, Township 3 South, Range 1 West. Thence Westwardly along said Half Section line and a continuation thereof in Section 27 to where the Half Section line of Section 27 intersects Hog Bayou and Gales Branch, thence Southwestwardly along said Gales Branch to where the same meets the Northern boundary line of the City of Prichard. Thence Westwardly along the North boundary line of the City of Prichard to a point 1905 feet Eastwardly from the Western boundary line of Section 28 of Township 3 South, Range 1 West, thence Northwardly and parallel with the Western boundary line of Section 28 and 21 to the Northern boundary line of Second Avenue of North Mobile, thence Westwardly

to a point where the North boundary line of said Second Avenue intersects the Western boundary line of Section 21, thence Northwardly along the said Western boundary line of Section 21 to the place of beginning.

Section 2. That at any time within sixty days from the date of the signing of this Act by the Governor of the State of Alabama, any thirty persons who are qualified electors of Mobile County, Alabama, and who reside within the Town of Chickasaw as described in Section 1 above, but within the corporate limits of the Town of Chickasaw as its boundaries were specified when originally incorporated may file a petition with the Town Council of the Town of Chickasaw, Alabama, stating that they are in favor of returning the boundaries of the Town of Chickasaw to those lines established when said Town was incorporated and requesting that an election be held to determine if said boundary lines shall be so changed.

Section 3. Upon receipt of said petition the Town Council shall check same to determine that the persons named thereon are qualified electors and reside within the territory described above. If said petition is in proper order the Mayor shall order an election to be held and shall give at least thirty days notice of the time of holding said election and shall designate the location of the polling places to be used. Ballots shall be furnished by the Town of Chickasaw on which shall be printed the following proposition: "Shall the Town of Chickasaw, Alabama, have as its boundaries those boundaries which were originally designated upon the incorporation of said Town?" followed by the words "Yes....." and "No.....". Only qualified electors residing within the territory described in Section 2 above shall be eligible to vote in said election and they shall designate whether or not they desire Chickasaw to have its original boundaries by placing an "X" on the blank line following the words "Yes" or "No" according to their choice.

Section 4. The Town Council shall designate the offers to conduct said election which shall be conducted in all respects according to the laws of municipal elections in the State of Alabama, where applicable, and the expense of holding said election shall be paid by the Town of Chickasaw, Alabama.

Section 5. If upon the canvassing of the returns of said election it appears that a majority of those electors voting cast their ballots marked with an "X" following the word "No" then the boundaries of the Town of Chickasaw shall remain as described in Section 1 of this Act, but if a majority cast their ballots marked with an "X" following the word "Yes" then the boundaries of the Town of Chickasaw shall immediately upon the declaration of the results of said election revert to those boundaries established for the Town of Chickasaw at the time of its original incorporation.

Section 6. All laws or parts of laws in conflict with this act are hereby expressly repealed.

Section 7. If any section, clause, provision, or portion of this act shall be held invalid or unconstitutional by any court of competent jurisdiction such invalidity shall not affect any other section, clause, provision, or portion of this Act which is not itself invalid or unconstitutional; and it is now declared that the other parts or sections would have been enacted regardless of any section or parts of sections which might be held invalid or unconstitutional.

Section 8. This Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Reg. June 18, 25-July 2, 9

W. M. Cunan being sworn, says that he is Auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and that the attached notice appeared in the issues of The Mobile Register. June 18, 25; July 2 and 9, 1947.

W. M. CUNAN,

Sworn to and subscribed before me this 9 day of July, 1947.

GREG L. KENNY.

(SEAL)

Notary Public.

Also:

By Mr. Harvey:

S. 305. To create and establish in Blount County, in lieu of the county court and the Inferior Court of Blount County, Alabama, as established by Act No. 461, approved July 17, 1931, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LEGISLATION

A BILL TO BE ENTITLED AN ACT

Notice is hereby given that at this Session of the Legislature, I will introduce therein, a Bill, substantially as follows:

To create and establish in Blount County, in lieu of the county court and the Inferior Court of Blount County, Alabama, as established by Act. No. 461, approved July 17, 1931, a court record with county-wide limited jurisdiction of criminal cases and civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. INFERIOR COURT CREATED. There is hereby established in Blount County a court of record, which shall have county-wide limited jurisdiction of criminal cases and civil action of law and in equity. The court shall be known as "The Inferior Law and Equity Court of Blount County, Alabama". It shall be in lieu of the county court and the Inferior Court of Blount County, Alabama, as established by Act. No. 461, approved July 17, 1931, which courts are hereby abolished.

Section 2. JURISDICTION. (a) Except as provided in Subsection (b), the court shall have power to exercise jurisdiction in all sections, causes, matters, proceedings, and cases, civil or criminal cognizable before the circuit court, or a county court, or the juvenile court, or justices of the peace, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have authority to exercise general superintendence of courts of inferior jurisdictions, and to punish contempts by fine not exceeding fifty dollars (\$50) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure, and practice provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds one thousand dollars (\$1,000), nor take cognizance of any matter or procedure in equity, except suits for divorce or separate maintenance and cases involving domestic relations or the custody of children.

Section 3. JUDGE. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1952, and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) Immediately after the passage of this Act, the Governor shall commission (John Doe) as judge of the court herein established, and (John Doe) shall hold office until his successor is elected or appointed as provided herein.

(c) The judge shall, before entering upon the discharge of the duties of office, take oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Blount County, learned in the law, and not less than twenty-five years of age. The judge shall be subject to the same penalties and obligations as circuit judges. He shall not practice law in any of the courts of this State or of the United States. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the constitution.

(d) The judge shall receive an annual salary of three thousand dollars (\$3,000), payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(e) The judge shall have authority to: 1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all the other remedial and original writs which are granted by the circuit judges; 2) grant writs of injunction and no exeat; 3) administer oaths and take acknowledgements; 4) exercise such other powers, jurisdiction, or authority as may be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace.

(f) The judge shall keep an office in the county courthouse, or such other place as may be provided by the governing body of the county. His office shall be suitably equipped, furnished, and provided, at the expense of the county, with such office supplies and stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court.

(g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

Section 4. SESSIONS. (a) Sessions of the court shall be held at the county courthouse, and the court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Monday in each month for the trial of civil actions at law, and one the third Monday in each month for the trial of criminal cases. Special sessions may be held at such times as the judge shall designate in orders spread upon the minutes. Sessions may continue so long as may be necessary for the court to complete its business.

(b) The sheriff shall, without additional compensation, attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court.

Section 5. PRACTICE AND PROCEDURE. (a) Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competency of witnesses, admissibility of evidence, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts.

(d) The court shall have three divisions, namely, law, equity, and criminal. Juvenile cases shall be docketed and tried in the law division.

Section 6. JURIES. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 7. COSTS. (a) In all matters, causes, and proceedings in the court in which justices of the peace would have final jurisdiction, the costs and fees taxable shall be the same as are now or may be hereafter allowed in justice of the peace courts. In all other cases the same fees and costs shall be taxed as apply in county courts, except that witnesses shall be entitled to fifty cents per day for their attendance in cases where justices of the peace would have final jurisdiction and one dollar per day in other cases. Witnesses shall not be entitled to mileage in any case.

(b) Officers who are paid a salary by the State or any political subdivision thereof shall not be entitled to witness fees for attending the court.

(c) No costs shall be taxed in juvenile cases.

Section 8. CRIMINAL PROSECUTIONS. (a) No prosecutions shall be commenced in such court except upon sworn complaint made to either the judge or the clerk thereof, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested the case shall be docketed for trial, and the trial shall be held and conducted, as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) The county solicitor of Blount County shall without additional compensation, prosecute for the State all criminal cases commenced in such court. In the event the county solicitor is absent or disqualified, the judge shall appoint a special prosecutor, who shall be paid twenty-five dollars (\$25.00) for each day he is called upon to serve.

Section 9. APPEALS. Any party aggrieved by a final judgment, order or ruling of the court may appeal the decision as herein provided.

1. If the case is a civil case in the law division of the court, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code.

2. If the case is in equity, the appeal lies directly to the Supreme Court of Alabama and shall be governed by the provisions of Chapter 16, Title 7 of the 1940 Code.

3. If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of the 1940 Code.

4. In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code.

Section 10. JUDGMENTS. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. CLERK AND REGISTER. The circuit clerk of Blount County and the register of the circuit court shall be the clerk and register, respectively, of the court herein established. As compensation, each shall receive for such services the regular fees as are now, or as may hereafter be allowed by law, the same to be payable and collectible as now, or as hereafter may be provided for by law.

Each shall have authority to purchase at the county's expense such records, stationery, office supplies, and equipment as may be necessary to conduct the court's business. Each shall keep a seal, which shall be the official seal adopted by the court.

Section 12. TRANSFER OF PENDING CASES. All cases and actions pending in the abolished courts on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgment rendered by the abolished courts, this court shall

have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 13. SEVERABILITY. The provisions of this Act are severable. If any part of this Act is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. REPEALER. All laws which conflict with this Act are repealed.

Section 15. EFFECTIVE DATE. This Act shall become effective upon its passage.

5J4t

C. B. Harvey, Senator
3rd Senatorial District of Ala.

STATE OF ALABAMA,
BLOUNT COUNTY.

Personally appeared before the undersigned authority, Rice M. Howard, who, being duly sworn, deposes and says that he is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation to create a new court was published for 4 consecutive weeks in said newspaper, commencing on the 5 day of June, 1947, and ending on the 26 day of June, 1947.

RICE M. HOWARD,
Publisher.

by Mrs. Rice M. Howard.

Sworn to and subscribed before me this 7 day of July, 1947.

(SEAL)

J. E. BAINS,
Notary Public.

Also:

By Mr. Allen:

S. 306. To abolish the present Board of Revenue of Etowah County, and to create a new Board of Revenue in lieu thereof; to provide for election and terms of office of president and associate members, jurisdiction of the board, duties of president and associate members, supervision of roads and bridges, purchases for the County, public meetings of board, salaries of officers, and repeal of certain local acts.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply to the present Regular Session of the Legislature, which convened in May, 1947, for the passage of a Local Act to be applicable in Etowah County, Alabama, which Local Act is in substance as follows:

"A BILL
TO BE ENTITLED
AN ACT"

To abolish the present Board of Revenue and to create a new Board of Revenue in lieu thereof; to provide for election and terms of office of president and associate members, jurisdiction of the board, duties of president and associate members, supervision of roads and bridges, purchases for the County, public meetings of board, salaries of officers, and repeal of certain local acts.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Present board abolished; new board created. Upon the passage and approval of this act, the present Board of Revenue is abolished and in lieu thereof there is established a Board of Revenue for Etowah County, which until the first Monday after the second Tuesday in January, 1949, shall be composed of the president and four associate members of the presently constituted Board of Revenue and thereafter shall be composed of a president and two associate members. The president and associate members shall be qualified electors of the county and shall be elected by the qualified electors of the entire county. No successors shall be elected for the two associate members whose terms under the present constituted Board of Revenue expire in January, 1949. The two associate members of the presently constituted Board of Revenue whose terms expire in January, 1951, shall serve as the associate members of the Board herein created until the expiration of such terms.

Section 2. Election of president. The president of the board shall be elected at the general election to be held in the year 1948 and hold office from the first Monday after the second Tuesday in January, 1949, for a term of six years and until his successor is elected and qualified; thereafter, the president of the board shall be elected for a term of four years.

Section 3. Election of associate members. Two associate members of the board shall be elected at the general election to be held in the year 1950, and every four years hereafter, to hold office for four years from the first Monday after the second Tuesday in January following their election, and until their successors are elected and qualified. Such associate members shall be designated Associate Member No. 1 and Associate Member No. 2, respectively, and candidates for such positions shall qualify therefor accordingly by designating the position for which they desire to become candidates.

Section 4. Jurisdiction of the Board of Revenue. The Board of Revenue shall have all the jurisdiction and powers which are or may hereafter be by law be vested in the courts of county commissioners or boards of revenue of this state except as otherwise in this act provided and the members thereof shall perform all the duties and services and exercise all the powers which are, or may be, provided by law for the members of courts of county commissioners or boards of revenue in this state.

Section 5. Duties of president. The president of the board shall be its presiding officer and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the board, and shall sign all warrants drawn on the county treasury, unless in the event of his disability some other member of the board shall be designated by an appropriate resolution of the board so to do, and it shall be his duty to receive and prepare business and obtain information for the sessions of said board, and to see to the execution of all orders thereof, and to report to the board all infractions of the revenue law in said county of which he can obtain authentic information. He shall exercise all the powers and perform all the duties required of the probate judge as to matters coming before the court of county commissioners. He shall devote his full time to the duties of his office.

Section 6. Duties of associate members. Each associate member shall keep constantly advised as to the condition of county roads, bridges, and buildings and see that the same are kept in repair and improved. Each associate member of said board shall devote his full time to the duties of his office.

Section 7. Automobile expense. Where any member of the board shall use his privately owned automobile in and about the performances of his duties, he shall be furnished by the county, and at its expense, gasoline and motor oil, not to exceed fifty (50) gallons of gasoline and one (1) Gallon of motor oil during any calendar month, to be used in his said automobile while engaged in the performance of the duties of his office.

Section 8. Purchases for the county. The board shall on all purchases for the county in excess of \$150.00, and for not more than \$1,000, receive publicly, competitive bids therefor after due notice, by posting at the courthouse door for at least five days prior thereto of the proposed purchases and a brief specification thereof, but for all purchases in excess of \$1,000, like advertisements shall be given at least one time in a newspaper of general circulation in the county. The provisions in this section contained shall not apply if purchases are made through any legally constituted state purchasing or contracting agency by whatever name or designation the same may be known.

Section 9. Public Meetings. The board shall hold at least one public meeting weekly, at a regularly designated time which shall not be changed by the board on less than two weeks' notice; and the board shall keep complete and accurate written minutes of all meetings, business transacted and resolutions, and there shall be recorded therein the vote of each individual member, and at each said meeting the minutes of the previous meeting shall be read and all such minutes shall be open to public inspection at reasonable times.

Section 10. Salaries. From the effective date of this act, until the first Monday after the second Tuesday of January, 1949, the salary of the president of the board shall be four thousand two hundred dollars (\$4,200) per annum, and the salary of each associate member shall be three thousand six hundred dollars (\$3,600) per annum, all payable in equal monthly installments on the last day of each month out of the funds of the county. Beginning on the first Monday after the second Tuesday in January, 1949, the salary of the President of the Board shall be \$4,500 per annum, and the salary of each associate member shall be \$4,000 per annum, all payable in equal monthly installments on the last day of each month out of the funds of the county. Neither the president nor the associate members of the board shall be entitled to any additional compensation; ex officio fees or charges, or to draw any mileage or per diem. The compensation provided in this section shall be the full compensation which the said president and associate members of the board shall be entitled to receive for their services.

Section 11. Local Acts repealed. All local acts pertaining to the organization, duties and jurisdiction of the Board of Revenue of Etowah County are hereby repealed, but the Act to establish a county depository in lieu of a county treasurer for Etowah County passed and approved on June 3, 1935: 1935 Local Acts, page 34 is not repealed and is continued in full force and effect.

Section 12. This act is to become effective upon its passage."

JAMES B. ALLEN
EDWARD R. MILLER
E. L. ROBERTS.

J-14, 21, 28, Ju-5.

PROOF OF PUBLICATION

STATE OF ALABAMA,
ETOWAH COUNTY.

Personally appeared before the undersigned, a Notary Public in and for said County and State C. R. Hofferbert who deposes and says on oath, that he is Editor of the Gadsden Times, a newspaper published at Gadsden, in Etowah County, Alabama, and that the attached notice appeared in the issues of the Gadsden Times June 14, 21, 28; July 5, 1947.

C. R. HOFFERBERT

Sworn to and subscribed before me this 12 day of July, 1947.

NELL T. GRIMMETT,
Notary Public.

State at Large

Also:

By Mr. Hardwick:

S. 295. To propose an amendment to the Constitution of Alabama relating to the election of justices of the peace for Precinct 3 of Houston County.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 294 Local Legislation

S. 292. Local Legislation

S. 293. Local Legislation

S. 301. Local Legislation

S. 303. Local Legislation

S. 305. Local Legislation

S. 306. Local Legislation

S. 295. Proposing an amendment to the Constitution was read one time at length and referred to the Standing Committee on Local Legislation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 557. To amend Section 1 of an act approved May 20, 1943, entitled "An Act to allow the Sheriff of Lauderdale County, Alabama, an additional Deputy Sheriff to that provided by law; to fix the salary of said Deputy and to make the same payable out of the general funds of Lauderdale County, Alabama, in monthly installments."

Also:

H. 558. To authorize the Court of County Commissioners of Lauderdale County, Alabama, to expend moneys from the general fund of the County for the purpose of holding referendum elections.

Also:

H. 609. To alter and extend the corporate limits of the Town of Brundidge, Pike County, Alabama, and rearrange and define the boundaries thereof:

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

S.J.R. 32. WHEREAS, Act No. 51 to enable the State of Alabama to enter into a compact with other states for the purpose of promotion and better utilization of the fisheries of the Gulf of Mexico to be known as the Gulf States Marine Fisheries Compact was approved on July 1, 1947, and

WHEREAS, it was therein provided that one member of the Gulf State Marine Fisheries Commission created by said compact should be from time to time elected by the Legislature from its members, and,

WHEREAS, Representative Thomas A. Johnston, III, of Mobile County, was the author of said bill and served on a preliminary committee which prepared the said compact.

NOW THEREFORE, be it resolved by the Senate of Alabama, the House of Representatives concurring, that the said Representative Thomas A. Johnston, III, be elected and designated by the legislature to serve as a representative on the said Gulf States Marine Fisheries Commission as provided for in said Act No. 51.

And in accordance with the provisions of said resolution, the Senate voted unanimously for the election of Representative Thomas A. Johnston, III.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Sullivan the rules were suspended and the above and foregoing S.J.R. 32 was concurred in and adopted.

And in accordance with the provisions of the said resolution, the House, upon a viva voce roll call, voted unanimously for the election of Honorable Thomas A. Johnston, III.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------------|---------|----------|---------|
| Mr. Speaker | Barnett | Bennett | Buckner |
| Adams (Dale) | Beatty | Brannan | Busby |
| Adams (Jefferson) | Benford | Brassell | Bush |

| | | | |
|-----------------|------------------|------------|-------------------|
| Callahan | Gillis | Malone | Shelton |
| Cobb | Hankins | Mason | Shirley |
| Cole | Harris | Meeks | Sightler |
| Cox | Harrison | Merrill | Snodgrass |
| Denton | Haynes (Lowndes) | Miller | Stone |
| Dobbs (Elmore) | Hornsby | Molette | Sullivan |
| Dobbs (Fayette) | Howell | Nelson | Taylor (Autauga) |
| Doughty | Ingalls | Nettles | Thagard |
| Duffee | Kaul | O'Neal | Thompson (Pike) |
| Dumas | Knight | Pinson | Wallace |
| Dyar | Larkins | Ramey | Ward |
| Faulk | Leonard | Richardson | Weaver |
| Frasier | McClendon | Roberts | Whitcomb |
| Ganey | McDonald | Robinson | White (Covington) |
| George | McGowin | Rogers | Wood (Bibb) |
| Gibson | McIlwain | Sellers | Wood (Washington) |

—76

H. 78 INDEFINITELY POSTPONED

On motion of Mr. McGowin the bill, H. 78, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

S. 77. To make an appropriation of \$150,000.00 to Tuskegee Normal and Industrial Institute to be expended for graduate work. Was read a third time at length and passed.

Yeas 77; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Faulk | McGowin | Sellers |
| Adams (Dale) | Frasier | Mason | Shelton |
| Adams (Jefferson) | Ganey | Mathison | Shirley |
| Barnett | George | Meeks | Sightler |
| Beatty | Gibson | Merrill | Snodgrass |
| Benford | Hankins | Miller | Stone |
| Brannan | Harris | Molette | Sullivan |
| Brassell | Harrison | Nelson | Taylor (Autauga) |
| Buckner | Haynes (Franklin) | Nettles | Thagard |
| Bush | Head | Norman | Thompson (Crenshaw) |
| Callahan | Hornsby | O'Neal | Thompson (Pike) |
| Cobb | Howell | Pinkston | Wallace |
| Cole | Johnston | Pinson | Ward |
| Cox | Knight | Fruitt | Weaver |
| Denton | Larkins | Ramey | Whitcomb |
| Dobbs (Elmore) | Leonard | Richardson | White (Covington) |
| Dobbs (Fayette) | Lovelace | Roberts | Wood (Bibb) |
| Doughty | McClendon | Rogers | Wood (Washington) |
| Duffee | McDonald | Sadler | |
| Dyar | | | |

—77

Nays: Mr. Gillis.

—1

H. 81 INDEFINITELY POSTPONED

On motion of Mr. McGowin the bill, H. 81, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

S. 76. To make an appropriation for the support and maintenance of the Tuskegee Institute.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | McGowin | Shelton |
| Adams (Dale) | Faulk | McIlwain | Shirley |
| Adams (Jefferson) | Frasier | Mason | Sightler |
| Barnett | Ganey | Mathison | Snodgrass |
| Beatty | George | Meeks | Stone |
| Benford | Gibson | Merrill | Sullivan |
| Bennett | Givhan | Miller | Taylor (Autauga) |
| Brassell | Hankins | Molette | Taylor (Hale) |
| Buckner | Harris | Nelson | Thagard |
| Bush | Harrison | Nettles | Thomp- |
| Callahan | Haynes (Franklin) | Norman | son (Crenshaw) |
| Cobb | Head | O'Neal | Thompson (Pike) |
| Coburn | Ingalls | Pinson | Wallace |
| Cole | Inzer | Pruitt | Ward |
| Cox | Johnston | Ramey | Weaver |
| Denton | Knight | Richardson | Whitcomb |
| Dobbs (Elmore) | Larkins | Roberts | White (Covington) |
| Dobbs (Fayette) | Leonard | Rogers | Wood (Bibb) |
| Doughty | McClendon | Sadler | Wood (Washington) |
| Duffee | McDonald | Sellers | —78 |

And the bill:

H. 75. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|-----------------|-------------------|-----------|
| Mr. Speaker | Coburn | Gibson | Knight |
| Adams (Dale) | Cole | Givhan | Larkins |
| Adams (Jefferson) | Cox | Hankins | Leonard |
| Barnett | Denton | Harris | McClendon |
| Beatty | Dobbs (Elmore) | Harrison | McDonald |
| Benford | Dobbs (Fayette) | Haynes (Franklin) | McGowin |
| Bennett | Doughty | Head | Mason |
| Brannan | Duffee | Hornsby | Mathison |
| Brassell | Dyar | Howell | Meeks |
| Bush | Faulk | Ingalls | Merrill |
| Callahan | Ganey | Inzer | Miller |
| Cobb | George | Johnston | Molette |

| | | | |
|----------|------------|---------------------|-------------------|
| Nelson | Richardson | Stone | Thompson (Pike) |
| Nettles | Roberts | Snodgrass | Wallace |
| Norman | Rogers | Sullivan | Ward |
| O'Neal | Sadler | Taylor (Autauga) | Weaver |
| Pinkston | Sellers | Taylor (Hale) | Whitcomb |
| Pinson | Shelton | Thagard | Wood (Bibb) |
| Pruitt | Shirley | Thompson (Crenshaw) | Wood (Washington) |
| Ramey | Sightler | | —78 |

And the bill:

H. 76. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Dyar | McClendon | Rogers |
| Adams (Dale) | Faulk | McDonald | Sadler |
| Adams (Jefferson) | Frasier | McGowin | Sellers |
| Barnett | Ganey | McIlwain | Shelton |
| Beatty | George | Mason | Shirley |
| Benford | Gibson | Mathison | Sightler |
| Bennett | Givhan | Meeks | Snodgrass |
| Brannan | Hankins | Merrill | Stone |
| Brassell | Harris | Miller | Sullivan |
| Bush | Harrison | Molette | Taylor (Autauga) |
| Callahan | Haynes (Franklin) | Nelson | Taylor (Hale) |
| Cobb | Haynes (Lowndes) | Norman | Thagard |
| Coburn | Head | O'Neal | Thompson (Crenshaw) |
| Cole | Hornsby | Pinkston | Thompson (Pike) |
| Cox | Howell | Pinson | Wallace |
| Denton | Inzer | Pruitt | Ward |
| Dobbs (Elmore) | Johnston | Ramey | Weaver |
| Dobbs (Fayette) | Knight | Richardson | Whitcomb |
| Doughty | Larkins | Roberts | Wood (Bibb) |
| Duffee | Leonard | Robinson | |

—79

S. 88 INDEFINITELY POSTPONED

On motion of Mr. Johnston the bill, S. 88, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 153. To amend an Act "To amend Section 199 of Title 22 of the 1940 Code of Alabama relating to the care of patients with tuberculosis," approved July 8, 1943.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Larkins | Roberts |
| Adams (Dale) | Dumas | Leonard | Robinson |
| Adams (Jefferson) | Dyar | McClendon | Rogers |
| Beatty | Faulk | McDonald | Shelton |
| Benford | Ganey | McIlwain | Shirley |
| Bennett | Garrett | Malone | Snodgrass |
| Brannan | George | Mason | Stone |
| Brassell | Gibson | Mathison | Sullivan |
| Buckner | Gillis | Meeks | Taylor (Autauga) |
| Busby | Givhan | Merrill | Taylor (Hale) |
| Bush | Hankins | Miller | Thagard |
| Callahan | Harrison | Nelson | Thomp- |
| Cobb | Haynes (Franklin) | Netties | son (Crenshaw) |
| Coburn | Haynes (Lowndes) | Norman | Thompson (Pike) |
| Cole | Head | O'Neal | Wallace |
| Cox | Hornsby | Pinkston | Ward |
| Crocker | Howell | Pinson | Weaver |
| Denton | Inzer | Pruitt | Whitcomb |
| Dobbs (Elmore) | Johnston | Ramey | White (Covington) |
| Dobbs (Fayette) | Knight | Richardson | Wood (Bibb) |
| Doughty | | | |

—80

And the bill:

H. 613. To make appropriations from the Alabama Special Educational Trust Fund for the support and maintenance of the Teachers Colleges of Alabama under the administration of the State Board of Education for each of the fiscal years ending September 30, 1948, and September 30, 1949.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|-----------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | Lovelace | Rogers |
| Adams (Dale) | Faulk | McClendon | Sellers |
| Barnett | Frasier | McDonald | Sheiton |
| Beatty | Ganey | McIlwain | Shirley |
| Benford | Garrett | Mason | Sightler |
| Bennett | George | Mathison | Snodgrass |
| Brannan | Gillis | Meeks | Stone |
| Brassell | Givhan | Merrill | Sullivan |
| Buckner | Hankins | Miller | Taylor (Autauga) |
| Busby | Harris | Molette | Taylor (Hale) |
| Bush | Harrison | Nelson | Thagard |
| Callahan | Haynes (Franklin) | Netties | Thomp- |
| Cobb | Haynes (Lowndes) | O'Neal | son (Crenshaw) |
| Coburn | Head | Pinkston | Thompson (Pike) |
| Cole | Hornsby | Pinson | Ward |
| Cox | Howell | Pruitt | Weaver |
| Denton | Inzer | Ramey | Whitcomb |
| Dobbs (Elmore) | Knight | Richardson | White (Covington) |
| Dobbs (Fayette) | Larkins | Roberts | Wood (Bibb) |
| Duffee | Leonard | Robinson | Wood (Washington) |
| Dumas | | | |

—80

And the bill:

H. 493. To provide that Judges of Probate are prohibited from causing the names of candidates for county offices to be printed on ballots in general elections under certain conditions; to provide those conditions; to provide a test for ascertaining the number of qualified electors in a county and the number of votes cast in any primary elections; to provide for exceptions to the provisions of the act and to provide for its becoming law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 12.

Yeas:

| | | | |
|----------------|------------------|-----------------|--------------------------|
| Mr. Speaker | Dyar | Larkins | Richardson |
| Adams (Dale) | Frasier | Lovelace | Roberts |
| Benford | Ganey | McClendon | Robinson |
| Bennett | Garrett | McDonald | Sellers |
| Brannan | George | McIlwain | Stone |
| Brassell | Gillis | Mason | Sullivan |
| Buckner | Giylan | Merrill | Taylor (Hale) |
| Busby | Hankins | Miller | Thagard |
| Bush | Harris | Molette | Thomp- |
| Callahan | Harrison | Nelson | son (Crenshaw) |
| Cole | Haynes (Lowndes) | Nettles | Wallace |
| Cox | Head | Norman | Whitcomb |
| Crocker | Hornsby | Pinkston | White (Covington) |
| Denton | Howell | Pinson | Wood (Bibb) |
| Dobbs (Elmore) | Ingalls | Pruitt | Wood (Washington) |
| Duffee | Johnston | Ramey | —62 |

Nays:

| | | | |
|----------|-------------------|--------|-----------------|
| Messrs.: | Faulk | Malone | Thompson (Pike) |
| Black | Haynes (Franklin) | O'Neal | Ward |
| Coburn | Knight | Sadler | Weaver |
| Dumas | | | —12 |

And the bill:

S. 194. To permit the grantee, heir, or devisee of, or any one claiming title to, property set apart absolutely as a homestead in the Probate Court to cure defects in the title resulting from irregularities in the proceeding setting apart the homestead, and to provide for the procedure thereon.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

| | | | |
|-------------------|----------|-----------------|---------|
| Mr. Speaker | Brannan | Cole | Dumas |
| Adams (Dale) | Brassell | Cox | Dyar |
| Adams (Jefferson) | Buckner | Crocker | Faulk |
| Barnett | Busby | Denton | Ganey |
| Beatty | Bush | Dobbs (Elmore) | Garrett |
| Benford | Callahan | Dobbs (Fayette) | George |
| Bennett | Cobb | Doughty | Gibson |
| Black | Coburn | Duffee | Gillis |

| | | | |
|-------------------|-----------|------------|---------------------|
| Givhan | Larkins | Pinkston | Stone |
| Hankins | Lovelace | Pinson | Sullivan |
| Harris | McClendon | Ramey | Taylor (Autauga) |
| Harrison | McDonald | Richardson | Thagard |
| Haynes (Franklin) | McIlwain | Roberts | Thompson (Crenshaw) |
| Haynes (Lowndes) | Malone | Robinson | Thompson (Pike) |
| Head | Mason | Rogers | Wallace |
| Hornsby | Mathison | Sadler | Ward |
| Howell | Merrill | Sellers | Weaver |
| Ingalls | Miller | Shelton | Whitcomb |
| Inzer | Nelson | Shirley | Wood (Bibb) |
| Johnston | Nettles | Sightler | Wood (Washington) |
| Kaul | Norman | Snodgrass | |
| Knight | O'Neal | | |

—85

RECESS

On motion of Mr. Crocker the House recessed until two o'clock this afternoon.

AFTERNOON SESSION

The hour of two o'clock P.M. having arrived, the House reconvened.

RESOLUTION

The following resolution was introduced:

By Mr. Snodgrass:

H.J.R. 55. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again at 9 o'clock A.M. on Thursday, July 24th, and when they adjourn on Thursday, they adjourn to meet again on Tuesday, July 29th, at 10 o'clock A.M.

On motion of Mr. Snodgrass the rules were suspended and H.J.R. 55 was adopted.

REPORT OF STANDING COMMITTEE ON RULES
RULES ON ENGROSSED AND ENROLLED BILLS

Your Standing Committee On Rules reports that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 557. To amend Section 1 of an act approved May 20, 1943, entitled "An Act to allow the Sheriff of Lauderdale County, Alabama, an additional Deputy Sheriff to that provided by law; to fix the salary of said Deputy and to make the same payable out of the general funds of Lauderdale County, Alabama, in monthly installments."

Also:

H. 558. To authorize the Court of County Commissioners of Lauderdale County, Alabama, to expend moneys from the general fund of the County for the purpose of holding referendum elections.

Also:

H. 609. To alter and extend the corporate limits of the Town of Brundidge, Pike County, Alabama, and rearrange and define the boundaries thereof:

Also:

H.J.R. 53. Relative to designating S. 226 as the "Langan, Sullivan, Stone, Johnston Bill".

And finds same correctly enrolled.

W.M.Beck,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the **Standing Committee on Rules**.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Boutwell:

S. 280. To authorize and empower governing bodies of municipal corporations, counties, city and county boards of education, and state agencies or institutions of education, learning, training or correction, or for the delinquent, insane, sick, deaf, dumb, blind, needy, juvenile or aged to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance, or any one or more of them, for the benefit of such of its officers and employees as it may determine and who elect to accept same and authorize deductions from their compensation to pay premiums which are payable in whole or in part by such officer or employee; to provide for the plan of any such insurance; to provide for the payment of the premiums therefor; to authorize such governing body to pay out of public funds the whole or such part of the premium as it may determine; to declare the legislative intent; to provide that any return of premium shall be made to the governing body paying same; to authorize appropriations to carry out the

provisions of the act; to repeal all conflicting laws; to provide that the invalidity or unconstitutionality of any provision or application shall not affect other provisions or applications of the act; and to fix its effective date.

Also:

By Mr. Boutwell:

S. 281. To ratify, confirm, approve and validate all contracts and policies of group life, health, accident and hospitalization insurance which have heretofore been issued to any municipal corporation, county, city or county board of education, or any state agency or institution of education, learning, training or correction or for the delinquent, insane, sick, deaf, dumb, blind, needy, juvenile or aged, for the benefit of its officers and employees; to ratify, confirm, approve and validate all acts done and premiums paid under such contracts and policies; to repeal all conflicting laws; to provide that the invalidity or unconstitutionality of any provision or application shall not affect other provisions or applications of the act; and to fix its effective date.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

S. 280. Local Government

S. 281. Local Government

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 229. To provide for the appointment of a Chief Clerk by the Circuit Solicitor in all judicial circuits that now is or may hereafter be composed of only three counties, two of which such counties each now have or may hereafter have a population of more than fifty thousand (50,000) according to the last or any subsequent federal census, and said circuit having only two judges, to fix the term of office and to require said Chief Clerk, in addition to his work as Chief Clerk, to do stenographic and secretarial work and investigations for said Solicitor, to fix the compensation of said Chief Clerk, to provide that said compensation shall be paid out of the General Funds of the counties composing said judicial circuits and how the same shall be paid.

Also:

H. 166. To amend Section 697 of Title 7 of the Code of Alabama of 1940.

J. E. Speight,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 437, with suggested executive amendment.

Respectfully submitted,
O. H. Finney, Jr.,
Executive Secretary to the Governor.

July 22, 1947.

To The House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 437, without my approval.

This bill is a local bill applicable to Jefferson County, and the amendment which I will suggest herein is done with the full knowledge, consent and approval of the authors of this bill.

I suggest the following amendment to House Bill No. 437:

Amend House Bill No. 437 by striking the word "reconnaisances", where the same appears as the last word in Section 37 of House Bill No. 437, and substituting in lieu thereof the word "recognizances".

The adoption of this amendment will remove my objections to this bill.

Respectfully,
James E. Folsom,
Governor.

July 22, 1947.

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 437, said Governor's amendment being set out in the above and foregoing message from the Governor.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-----------------|-------------------|------------|---------------------|
| Mr. Speaker | George | McClendon | Shelton |
| Adams (Dale) | Gibson | McDonald | Shirley |
| Beatty | Gillis | Malone | Sightler |
| Benford | Hankins | Mason | Stone |
| Bennett | Harris | Mathison | Sullivan |
| Brannan | Harrison | Merrill | Taylor (Autauga) |
| Brassell | Haynes (Franklin) | Miller | Taylor (Hale) |
| Buckner | Haynes (Lowndes) | Molette | Thagard |
| Busby | Head | Nelson | Thompson (Crenshaw) |
| Bush | Hornsby | Norman | Thompson (Pike) |
| Callahan | Howell | Pinkston | Wallace |
| Cole | Ingalls | Pruitt | Ward |
| Denton | Inzer | Ramey | Weaver |
| Dobbs (Elmore) | Johnston | Richardson | Whitcomb |
| Dobbs (Fayette) | Kaul | Roberts | White (Covington) |
| Dyar | Larkins | Robinson | Wood (Bibb) |
| Faulk | Leonard | Sadler | Wood (Washington) |
| Ganey | Lovelace | Sellers | |

—71

Which was a majority of the whole number elected to the House.

And said bill:

H. 437. To establish an inferior court of record to be called the Bessemer Civil and Misdemeanor Court; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenures of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same.

As amended by the amendment proposed by His Excellency, the Governor was again read at length and passed.

Yeas 66; Nays 0.

Yeas:

| | | | |
|--------------|-----------------|-------------------|-----------|
| Mr. Speaker | Callahan | Hankins | Johnston |
| Adams (Dale) | Cole | Harris | Kaul |
| Beatty | Denton | Harrison | Larkins |
| Benford | Dobbs (Fayette) | Haynes (Franklin) | Leonard |
| Bennett | Dyar | Haynes (Lowndes) | Lovelace |
| Brannan | Frasier | Head | McClendon |
| Brassell | Ganey | Hornsby | Mason |
| Buckner | Garrett | Howell | Mathison |
| Busby | Gibson | Ingalls | Merrill |
| Bush | Gillis | Inzer | Miller |

| | | | |
|------------|-----------|---------------------|-------------------|
| Molette | Sadler | Sullivan | Wallace |
| Nelson | Sellers | Taylor (Autauga) | Ward |
| Pinkston | Shelton | Taylor (Hale) | Weaver |
| Ramey | Shirley | Thagard | Whitcomb |
| Richardson | Sightler | Thompson (Crenshaw) | White (Covington) |
| Roberts | Snodgrass | Thompson (Pike) | Wood (Bibb) |
| Robinson | Stone | | —66 |

Which was a majority of the whole number elected to the House.

RESOLUTION

The following resolution was introduced:

By Mr. McGowin:

H.J.R. 56. BE IT RESOLVED BY THE HOUSE, the Senate concurring, that when the two houses adjourn on Friday, August 8th, 1947, they adjourn to meet again on Tuesday, January 20., 1948, at twelve o'clock noon.

The above and foregoing H.J.R. 56 was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

S. 102. To amend Sections 4 and 9 of Act 211, approved July 7, 1945, which gives the State Board of Health and hospital associations authority to plan, acquire, construct, equip, maintain, and supervise hospitals, health centers, and related facilities for the treatment of disease; redefining the duties and terms of the advisory council to the State Board of Health and prescribing qualifications of directors of hospital associations.

Was taken up.

Mr. Harris offered the following substitute for the bill, S. 102, as amended:

SUBSTITUTE FOR S. 102, AS AMENDED

BY MR. HARRIS:

A BILL TO BE ENTITLED AN ACT

To amend Sections 1 and 4 of Act No. 211 of the Legislature of Alabama of the Regular Session of 1945, approved July 7, 1945, which gives the State Board of Health and hospital associations authority to plan, acquire, construct, equip, maintain, and supervise hospitals, health centers, and related facilities for the treatment of disease; redefining the duties and terms of the advisory council to the State Board of Health and prescribing qualifications of directors of hospital associations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 1 of Act No. 211 of the Legislature of Alabama of the Regular Session of 1945, approved July 7, 1945, be and the same is hereby amended so as to read as follows:

"Section 1. The following terms used in this Act shall have the meanings as defined herein unless a different meaning clearly appears from the context. State Board of Health shall mean the statutory agency of the State of Alabama operative in the field of general health matters and performing the duties and exercising the powers as set forth in the statutory provisions relating thereto. Master hospital plan shall refer to a plan, determined upon by the State Board of Health with the advice and consultation with an advisory council, which shall subdivide the State into regions, districts, and zones and any further divisions which may be necessary for the purpose of establishing an integrated and interrelated system of hospitals and related facilities which will insure the provision of readily accessible hospital care in all parts of the State. The term hospital includes public health centers and general, tuberculosis, mental, chronic disease, and other types of hospitals, and related facilities, such as laboratories, out-patient departments, nurses' homes and training facilities, and central service facilities operated in connection with hospitals."

Section 2. That Section 4 of said Act No. 211 be and the same is hereby amended so as to read as follows:

"Section 4. There shall be, established an advisory council, which shall consult with the State Board of Health as to the policies and regulations necessary for carrying out the purpose of this Act. The membership of this advisory council shall consist of: three (3) hospital administrators or persons with broad experience in hospital administration, to be appointed by the Alabama Hospital Association or by the Governor in the event said association fails or ceases to function; one (1) member of the State Board of Censors, to be appointed by that Board; four (4) lay members with broad civic interests representing varied segments of the population, to be appointed by the Governor; the State Health Officer; the State Director of Public Welfare; the Director of the State Planning Board; the Director of Finance; and the Attorney General. The Alabama Hospital Association first shall appoint one (1) member for three (3) years, one (1) member for two (2) years, and one (1) member for one (1) year; thereafter the terms of all members appointed by the Alabama Hospital Association shall be three (3) years; vacancies shall be filled for the unexpired terms in the manner in which the original appointments were made. The Governor first shall appoint two (2) lay members for a period of three (3) years and two (2) lay members for a period of two (2) years; after the first appointments, the terms of all lay members shall be three (3) years; vacancies shall be filled by the Governor for the unexpired terms. The State Health Officer shall act as chairman of

the advisory council. The advisory council shall meet at the call of the chairman or at the written request to the chairman by any five members. All members shall be paid all expenses incurred in carrying out the functions and duties of the advisory council, and all members except those employed by the State of Alabama shall be paid fifteen dollars (\$15.00) for each day they are engaged in the performance of their duties."

And the substitute offered by Mr. Harris for the bill, S. 102, as amended, was adopted.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|---------------|-------------------|
| Mr. Speaker | Duffee | Larkins | Sellers |
| Adams (Dale) | Dyar | Leonard | Shelton |
| Adams (Jefferson) | Faulk | McClendon | Shirley |
| Barnett | Frasier | McDonald | Sightler |
| Beatty | Ganey | McIlwain | Snodgrass |
| Benford | Garrett | Malone | Stone |
| Bennett | Gibson | Mason | Sullivan |
| Brannan | Gillis | Meeks | Taylor (Autauga) |
| Brassell | Hankins | Merrill | Taylor (Hale) |
| Brown | Harris | Miller | Thagard |
| Buckner | Harrison | Molette | Thomp- |
| Busby | Haynes (Franklin) | Nelson | son (Crenshaw) |
| Bush | Haynes (Lowndes) | Norman | Thompson (Pike) |
| Callahan | Head | Pinkston | Wallace |
| Coburn | Hornsby | Pinson | Ward |
| Cole | Howell | Ramey | Weaver |
| Cox | Ingalls | Richardson | Whitcomb |
| Denton | Inzer | Roberts | White (Covington) |
| Dobbs (Elmore) | Johnston | Robinson | Wood (Bibb) |
| Dobbs (Fayette) | Kaul | Sadler | Wood (Washington) |

—79

And said Bill, S. 102, as thus amended, was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|--------------|----------------|
| Mr. Speaker | Dobbs (Elmore) | Hornsby | Molette |
| Adams (Dale) | Dobbs (Fayette) | Howell | Nelson |
| Adams (Jefferson) | Duffee | Ingalls | Norman |
| Barnett | Dyar | Inzer | Pinkston |
| Beatty | Faulk | Johnston | Pinson |
| Benford | Frasier | Kaul | Pruitt |
| Bennett | Ganey | Larkins | Ramey |
| Brannan | Garrett | Leonard | Richardson |
| Brassell | Gibson | McClendon | Roberts |
| Buckner | Gillis | McDonald | Robinson |
| Busby | Hankins | McIlwain | Sadler |
| Callahan | Harris | Malone | Sellers |
| Coburn | Harrison | Mason | Shelton |
| Cole | Haynes (Franklin) | Meeks | Shirley |
| Cox | Haynes (Lowndes) | Merrill | Sightler |
| Denton | Head | Miller | Snodgrass |

| | | | |
|------------------|-----------------|----------|-------------------|
| Stone | Thagard | Wallace | White (Covington) |
| Sullivan | Thomp- | Ward | Wood (Bibb) |
| Taylor (Autauga) | son (Crenshaw) | Weaver | Wood (Washington) |
| Taylor (Hale) | Thompson (Pike) | Whitcomb | —78 |

And the bill:

H. 610. To amend Section 421 of Title 14 of the Code of Alabama for 1940.

Was taken up.

Mr. Ingalls offered the following amendment to the bill, H. 610:

To amend Section 1 of House Bill 610 by adding thereto the following words "except that nothing herein shall be construed to prevent any municipality from passage of ordinances prohibiting such racing on Sunday."

And the amendment was adopted.

Yeas 67; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Johnston | Robinson |
| Adams (Dale) | Dobbs (Fayette) | Larkins | Sadler |
| Adams (Jefferson) | Duffee | Leonard | Shirley |
| Barnett | Dyar | McDonald | Sightler |
| Beatty | Ganey | McIlwain | Snodgrass |
| Benford | Garrett | Mason | Stone |
| Bennett | Gibson | Meeks | Sullivan |
| Brannan | Givhan | Merrill | Taylor (Hale) |
| Brassell | Harris | Miller | Thagard |
| Brown | Harrison | Molette | Thomp- |
| Buckner | Haynes (Franklin) | Nettles | son (Crenshaw) |
| Busby | Haynes (Lowndes) | Norman | Ward |
| Bush | Head | Pinkston | Weaver |
| Callahan | Hornsby | Pinson | Whitcomb |
| Coburn | Howell | Ramey | White (Covington) |
| Cole | Ingalls | Richardson | Wood (Bibb) |
| Cox | Inzer | Roberts | Wood (Washington) |

—67

And said bill, H. 610, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 5.

Yeas:

| | | | |
|--------------|-------------------|------------------|----------|
| Mr. Speaker | Cole | Haynes (Lowndes) | Mason |
| Adams (Dale) | Cox | Head | Meeks |
| Barnett | Dobbs (Elmore) | Hornsby | Miller |
| Benford | Dobbs (Fayette) | Howell | Molette |
| Bennett | Duffee | Ingalls | Nettles |
| Brannan | Dyar | Inzer | Norman |
| Brassell | Ganey | Johnston | Pinkston |
| Brown | Garrett | Kaul | Pinson |
| Buckner | Gillis | Larkins | Ramey |
| Busby | Givhan | Leonard | Roberts |
| Bush | Harrison | McDonald | Robinson |
| Coburn | Haynes (Franklin) | McIlwain | Sadler |

| | | | |
|-----------|---------------|---------|-------------------|
| Shelton | Stone | Thagard | Whitcomb |
| Shirley | Sullivan | Ward | White (Covington) |
| Sightler | Taylor (Hale) | Weaver | Wood (Bibb) |
| Snodgrass | | | —61 |

Nays:

| | | | |
|----------|--------|-----------|---------|
| Messrs.: | Denton | McClendon | Merrill |
| Callahan | Harris | | —5 |

And the bill:

(With substitute):

H. 480. To amend Title 55, Section 312 of the Code of Alabama of 1940.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

COMMITTEE SUBSTITUTE FOR H. 480

A BILL TO BE ENTITLED AN ACT

To amend Section 312 of Title 55 of the Code of Alabama of 1940 and to provide for the transfer and assignment of employees and to define and provide for the station of duty and **employment base of employees.**

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 312 of Title 55 of the Code of Alabama of 1940 be and the same is hereby amended so as to read as follows: Section 312. Transfers.—An appointing authority may assign a classified employee under his jurisdiction from one position to another in the same class. Any classified employee may be transferred from a position in one Department to a position of the same class in another Department, provided that the Director has authorized the transfer and has received approval of both appointing authorities concerned. In every case of an assignment or transfer that involves a change in a classified employee's employment base, or a change in the location of his station of duty, the appointing authority shall submit a written request to the Director for approval of the assignment or transfer which shall specify the proposed change in employment base and station of duty, and the considerations and reasons for the proposed assignment or transfer, a copy of which request shall be furnished to the employee by the appointing authority, and the assignment or transfer shall not become effective until approved by the Director, in writing, provided that the employee shall immediately abide by the assignment or transfer, but shall receive expenses at the rate provided by law for an employee travelling in the state in the service of the state

during the period involved unless such assignment or transfer is approved. The Director shall either approve or disapprove such assignment or transfer within ten days from the submission of such request, and either the appointing authority or the employee may appeal to the Board within ten days from the date of the action of the Director in approving or disapproving such request by filing notice of appeal with the Director or Chairman of the Board, and such appeal shall be heard within thirty days and if the Board finds that the transfer or assignment is unwarranted it shall order that the employee be returned to his original employment base and station of duty. Nothing contained in this section shall prevent an appointing authority from assigning an employee to temporary duty away from his station of duty for a period not in excess of thirty days. Station of duty as used in this section means the place, area or territory at which or within which an employee customarily performs his duty. Employment base as used in this section means the place of the employee's station of duty if a particular place constitutes his station of duty, and if an area or territory constitutes an employee's station of duty his employment base shall be a particular place within the area or territory, to be designated by the appointing authority having regard to the place most convenient and accessible to the location of the major portion of the duties of the employee; when engaged in the performance of his duties at his employment base an employee shall not receive expenses, but an employee engaged in the performance of his duties away from his employment base shall receive expenses. Each and every appointing authority shall furnish to the Director written information concerning the employment base and station of duty of each employee under his jurisdiction, and the Board shall have authority from time to time to revise and redesignate the employment base of an employee.

Section 2. This Act shall become effective immediately and the information as to the employment base and station of duty of employees required to be furnished to the Director by Section 312 of Title 55 of the Code of 1940, as amended by this Act shall be furnished within thirty days of the effective date of this Act.

And the substitute reported by the Standing Committee on Judiciary was adopted.

Yeas 75; Nays 2.

Yeas:

| | | | |
|-------------------|-----------------|---------|-------------------|
| Mr. Speaker | Buckner | Duffee | Givhan |
| Adams (Dale) | Rushy | Dumas | Hankins |
| Adams (Jefferson) | Bush | Dyar | Harrie |
| Barnett | Callahan | Faulk | Harrison |
| Beatty | Coburn | Frasier | Haynes (Franklin) |
| Benford | Cole | Ganey | Haynes (Lowndes) |
| Brannan | Denton | Garrett | Head |
| Brassell | Dobbs (Elmore) | Gibson | Howell |
| Brown | Dobbs (Fayette) | Gillis | Inzer |

| | | | |
|-----------|----------|------------------|-------------------|
| Johnston | Mathison | Richardson | Thagard |
| Kaul | Meeks | Roberts | Thompson (Pike) |
| Knight | Merrill | Robinson | Wallace |
| Larkins | Miller | Sadler | Ward |
| Lovelace | Nelson | Sellers | Weaver |
| McClendon | Nettles | Shelton | Whitcomb |
| McDonald | Norman | Shirley | White (Covington) |
| McGowin | O'Neal | Sightler | Wood (Bibb) |
| McIlwain | Pinson | Stone | Wood (Washington) |
| Mason | Ramey | Taylor (Autauga) | —75 |

Nays: Messrs. Hornsby, Leonard.

—2

And said bill, H. 480, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 9.

Yeas:

| | | | |
|-------------------|------------------|----------------|-------------------------|
| Mr. Speaker | Dyar | Kaul | Pinson |
| Adams (Dale) | Faulk | Lovelace | Ramey |
| Adams (Jefferson) | Frasier | McClendon | Richardson |
| Barnett | Ganey | McDonald | Robinson |
| Beatty | Garrett | McIlwain | Sadler |
| Benford | Gibson | Malone | Sellers |
| Brannan | Gillis | Mason | Shirley |
| Brassell | Givhan | Mathison | Sightler |
| Brown | Hankins | Meeks | Taylor (Autauga) |
| Busby | Harris | Merrill | Thagard |
| Coburn | Harrison | Miller | Thompson (Pike) |
| Cole | Haynes (Lowndes) | Molette | Ward |
| Denton | Head | Nelson | Weaver |
| Duffee | Howell | Nettles | Whitcomb |
| Dumas | Inzer | Norman | Wood (Bibb) |

—60

Nays:

| | | | |
|----------------|----------|---------|-----------|
| Messrs.: | Hornsby | Leonard | Snodgrass |
| Callahan | Johnston | Roberts | Stone |
| Dobbs (Elmore) | Larkins | | |

—9

REPORT OF THE STANDING COMMITTEE ON RULES ON ENGROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee On Rules reports that it has examined the following House Bills, to-wit:

H. 166. To amend Section 697 of Title 7 of the Code of Alabama of 1940.

Also:

H. 229. To provide for the appointment of a Chief Clerk by the Circuit Solicitor in all judicial circuits that now is or may hereafter be composed of only three counties, two of which such counties each now have or may hereafter have a population of more than

fifty thousand (50,000) according to the last or any subsequent federal census, and said circuit having only two judges, to fix the term of office and to require said Chief Clerk, in addition to his work as Chief Clerk, to do stenographic and secretarial work and investigations for said Solicitor, to fix the compensation of said Chief Clerk, to provide that said compensation shall be paid out of the General Funds of the counties composing said judicial circuits and how the same shall be paid.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

(By request):

H. 492. To amend Title 46, Section 304, Code of Alabama, 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 7.

Yeas:

| | | | |
|-------------------|-------------------|-----------|------------------|
| Mr. Speaker | Denton | Howell | Pinson |
| Adams (Dale) | Dyar | Ingalls | Ramey |
| Adams (Jefferson) | Faulk | Inzer | Richardson |
| Beatty | Ganey | McClendon | Robertis |
| Benford | Garrett | McDonald | Shelton |
| Bennett | Gibson | McGowin | Sullivan |
| Brannan | Gillis | Mason | Taylor (Autauga) |
| Brassell | Givhan | Meeks | Taylor (Hale) |
| Buckner | Hankins | Merrill | Thagard |
| Busby | Harris | Miller | Thompson (Pike) |
| Callahan | Harrison | Nettles | Wallace |
| Coburn | Haynes (Franklin) | O'Neal | Ward |
| Cole | Head | Pinkston | Weaver |
| Cox | Hornsby | | |

—54

Nays:

| | | | |
|----------------|----------|----------|----------|
| Messrs.: | Johnston | Shirley | Stone |
| Dobbs (Elmore) | Leonard | Sightler | Whitcomb |

—7

And the bill:

H. 526. To regulate the installation and equipment used in installing, storage, transporting and dispensing of liquefied petroleum gases; to provide for the administration hereof by the Superintendent of Insurance as Fire Marshall Ex-officio; to provide for the appointment of a Chief Inspector, Deputy Inspectors and assistants to carry out the provisions hereof; to provide for reports to be made in connection with the sale and installation of liquefied petroleum appliances and systems; to provide for the payment of fees for the inspection of liquefied petroleum gas equipment, containers and systems; to provide for insurance and bonds by dealers in such gases and equipment; to provide for penalties for the violation of this act and any rule, or order promulgated pursuant hereto; to provide for payment of the expenses and salaries incurred in connection herewith and to provide for the effective date of this act.

Was taken up.

Mr. Sullivan offered the following amendment to the bill, H. 526:

Amend H. 526:

Add to Section 4 at the end thereof the following "provided such deputy inspectors and assistants do not exceed ten in number."

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|------------------|
| Mr. Speaker | Duffee | Inzer | Richardson |
| Adams (Dale) | Dumas | Johnston | Roberts |
| Adams (Jefferson) | Dyar | Larkins | Robinson |
| Barnett | Ganey | Leonard | Shelton |
| Beatty | Garrett | McClendon | Shirley |
| Bennett | Gibson | McDonald | Sightler |
| Black | Gillis | McGowin | Stone |
| Brannan | Givhan | Mason | Sullivan |
| Brassell | Hankins | Mathison | Taylor (Autauga) |
| Buckner | Harris | Meeks | Taylor (Hale) |
| Busby | Harrison | Merrill | Thagard |
| Callahan | Haynes (Franklin) | Miller | Thompson (Pike) |
| Cole | Haynes (Lowndes) | Norman | Wallace |
| Cox | Head | Pinkston | Ward |
| Denton | Hornsby | Pinson | Weaver |
| Dobbs (Elmore) | Howell | Ramey | Whitcomb |
| Dobbs (Fayette) | | | |

—65

And said bill, H. 526, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|---------|---------|
| Mr. Speaker | Adams (Jefferson) | Beatty | Bennett |
| Adams (Dale) | Barnett | Benford | Black |

| | | | |
|-----------------|-------------------|------------|------------------|
| Brannan | Garrett | McGowin | Shelton |
| Brassell | Hankins | Malone | Shirley |
| Buckner | Harrison | Mason | Sightler |
| Busby | Haynes (Franklin) | Mathison | Snodgrass |
| Callahan | Haynes (Lowndes) | Meeks | Stone |
| Coburn | Head | Merrill | Sullivan |
| Cole | Hornsby | Miller | Taylor (Autauga) |
| Cox | Howell | Molette | Taylor (Hale) |
| Denton | Inzer | Nelson | Thagard |
| Dobbs (Elmore) | Johnston | Norman | Thompson (Pike) |
| Dobbs (Fayette) | Knight | Pinkston | Wallace |
| Duffee | Larkins | Pinson | Ward |
| Dumas | Leonard | Ramey | Weaver |
| Dyar | McClendon | Richardson | Whitcomb |
| Ganey | McDonald | Roberts | |

—67

And the bill:

H. 382. To provide for an alternate method of paying and collecting stamp tax, tag tax or fee required by Title 2, Section 294, Code of Alabama, on fertilizer, fertilizer material or chemical sold in this state; to authorize the Commissioner of Agriculture and Industries to grant permits on certain conditions to pay said tax on a monthly basis in lieu of using tax tags or stamps; to provide for the taxpayer to make monthly reports to the Commissioner, and keep records of fertilizer, fertilizer material or chemical sold; to provide that the said tax be paid monthly on a certain date and if not paid to provide for a penalty; to provide for the revocation of permits; to create a lien for the enforcement of the payment of the tax; to provide that said tax shall accrue to the agricultural fund; and to provide that this act shall be supplementary to Article 16, Title 2, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Faulk | McClendon | Sadler |
| Adams (Dale) | Frasier | McDonald | Sellers |
| Adams (Jefferson) | Ganey | McGowin | Shelton |
| Barnett | Garrett | Malone | Shirley |
| Beatty | George | Mason | Sightler |
| Benford | Gillis | Mathison | Snodgrass |
| Bennett | Givhan | Meeks | Stone |
| Black | Hankins | Merrill | Sullivan |
| Brassell | Harris | Miller | Taylor (Autauga) |
| Busby | Harrison | Molette | Taylor (Hale) |
| Callahan | Haynes (Lowndes) | Nelson | Thagard |
| Coburn | Head | O'Neal | Thompson (Pike) |
| Cole | Hornsby | Pinkston | Wallace |
| Cox | Howell | Pinson | Ward |
| Denton | Johnston | Ramey | Weaver |
| Dobbs (Elmore) | Knight | Richardson | Whitcomb |
| Duffee | Larkins | Roberts | White (Covington) |
| Dyar | Leonard | Robinson | |

—71

And the bill:

H. 383. To amend Title 2, Section 294, of the Code of Alabama of 1940; and to provide for the effective date of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Faulk | Leonard | Roberts |
| Adams (Dale) | Frasier | Lovelace | Robinson |
| Adams (Jefferson) | Ganey | McClendon | Sadler |
| Beatty | Garrett | McDonald | Sellers |
| Benford | George | McGowin | Shelton |
| Bennett | Gibson | McIlwain | Shirley |
| Black | Gillis | Malone | Sightler |
| Brannan | Givhan | Mason | Stone |
| Brassell | Hankins | Mathison | Sullivan |
| Brown | Harris | Meeks | Taylor (Autauga) |
| Buckner | Harrison | Merrill | Taylor (Hale) |
| Callahan | Haynes (Franklin) | Miller | Thagard |
| Coburn | Haynes (Lowndes) | Molette | Thomp- |
| Cole | Head | Nelson | son (Crenshaw) |
| Cox | Hornsby | Norman | Thompson (Pike) |
| Crocker | Howell | O'Neal | Wallace |
| Denton | Ingalls | Pinson | Ward |
| Dobbs (Elmore) | Inzer | Pruitt | Weaver |
| Duffee | Johnston | Ramey | Whitcomb |
| Dumas | Knight | Richardson | Wood (Washington) |
| Dyar | Larkins | | |

—81

And the bill:

H. 292. To amend Sections 57, 59 and 60 of Title 2 of the 1940 Code, which relate to regulation and taxation of commercial feeds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|------------|
| Mr. Speaker | Denton | Hornsby | Nettles |
| Adams (Dale) | Duffee | Howell | Norman |
| Adams (Jefferson) | Dumas | Inzer | O'Neal |
| Beatty | Dyar | Kaul | Pinkston |
| Benford | Faulk | Larkins | Pinson |
| Bennett | Frasier | Leonard | Pruitt |
| Brannan | Ganey | McClendon | Ramey |
| Brassell | Garrett | McDonald | Richardson |
| Brown | George | McGowin | Roberts |
| Buckner | Gillis | McIlwain | Robinson |
| Busby | Givhan | Mason | Sadler |
| Bush | Hankins | Mathison | Sellers |
| Callahan | Harris | Meeks | Shelton |
| Coburn | Harrison | Merrill | Shirley |
| Cole | Haynes (Franklin) | Miller | Sightler |
| Cox | Haynes (Lowndes) | Molette | Snodgrass |
| Crocker | Head | Nelson | Stone |

| | | | |
|------------------|-----------------|-------------------|-------------------|
| Taylor (Autauga) | Thompson (Pike) | Weaver | Wood (Bibb) |
| Taylor (Hale) | Wallace | Whitcomb | Wood (Washington) |
| Thagard | Ward | White (Covington) | —79 |

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 76. To make an appropriation for the support and maintenance of the Tuskegee Institute.

Also:

S. 77. To make an appropriation of \$150,000.00 to Tuskegee Normal and Industrial Institute to be expended for graduate work.

Also:

S. 194. To permit the grantee, heir, or devisee of, or any one claiming title to, property set apart absolutely as a homestead in the Probate Court to cure defects in the title resulting from irregularities in the proceeding setting apart the homestead, and to provide for the procedure thereon.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 55. Relative to adjournment of the two houses, to meet again on Thursday, July 24th, 1947, at 9 o'clock A.M.

J. E. Speight,
Secretary.

MOTION IN WRITING

WHEREAS, the undersigned desire to withdraw their names as co-sponsors of House Bill 240.

Now, therefore, we do move that the Journal of the House show that our names are so withdrawn as co-sponsors of said

House Bill 240 and that in the future no entry in the Journal of the House shall show us a sponsor of said bill.

D. W. Ward
Roberts H. Brown

And the above and foregoing motion was adopted.

BILLS ON THIRD READING RESUMED

H. 249. To appropriate funds for the use of the Wiregrass Experiment Station at Headland.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dyar | Larkins | Sadler |
| Adams (Dale) | Evans | Leonard | Shelton |
| Adams (Jefferson) | Faulk | McDonald | Shirley |
| Barnett | Frasier | McIlwain | Sightler |
| Beatty | Ganey | Malone | Snodgrass |
| Benford | Garrett | Mason | Stone |
| Bennett | Gibson | Mathison | Sullivan |
| Black | Gillis | Meeks | Taylor (Autauga) |
| Brannan | Givhan | Merrill | Thagard |
| Brassell | Hankins | Molette | Thomp- |
| Buckner | Harris | Nelson | son (Crenshaw) |
| Busby | Harrison | Nettles | Thompson (Pike) |
| Bush | Haynes (Franklin) | O'Neal | Wallace |
| Callahan | Haynes (Lowndes) | Pinkston | Ward |
| Cole | Head | Pinson | Weaver |
| Denton | Howell | Pruitt | Whitcomb |
| Dobbs (Elmore) | Ingalls | Ramey | White (Covington) |
| Doughty | Inzer | Richardson | Wood (Bibb) |
| Duffee | Kaul | Roberts | Wood (Washington) |
| Dumas | Knight | | |

—77

And the bill:

H. 175. To appropriate fifteen thousand dollars (\$15,000) annually to the Agricultural Center Board for awarding prizes or premiums at livestock shows.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|-------------------|----------|-----------------|----------|
| Mr. Speaker | Brassell | Crocker | Faulk |
| Adams (Dale) | Brown | Denton | Frasier |
| Adams (Jefferson) | Buckner | Dobbs (Elmore) | Ganey |
| Barnett | Busby | Dobbs (Fayette) | Garrett |
| Beatty | Bush | Duffee | Gillis |
| Benford | Callahan | Dumas | Givhan |
| Black | Cole | Dyar | Hankins |
| Brannan | Cox | Evans | Harrison |

| | | | |
|-------------------|----------|------------|-------------------|
| Haynes (Franklin) | McDonald | Pinson | Taylor (Autauga) |
| Head | McIlwain | Pruitt | Taylor (Hale) |
| Hornsby | Malone | Ramey | Thagard |
| Howell | Mason | Richardson | Thompson (Pike) |
| Ingalls | Mathison | Roberts | Wallace |
| Johnston | Meeks | Sellers | Ward |
| Kaul | Merrill | Shirley | Weaver |
| Knight | Molette | Sightler | Whitcomb |
| Larkins | Nelson | Snodgrass | White (Covington) |
| Leonard | Nettles | Stone | Wood (Bibb) |
| Lovelace | Norman | Sullivan | Wood (Washington) |
| McClendon | Pinkston | | |

—78

And the bill:

(With amendment):

H. 316. To make provision for the creation and maintenance of a Sub-Agricultural Experiment Station for Horticultural Research in the Chilton County Horticultural Area for the purpose of finding out new scientific facts in regard to the production, processing, storage, use, and marketing of truck, fruit, and nut crops; the use of fertilizers; the adaptation and improvement of varieties of truck, fruit, and nut crops; the control of insect pests and plant diseases; and other similar horticultural problems having for their object the development of a more permanent, more profitable and diversified horticulture; to designate the counties of the State constituting the Chilton County Horticultural Area; to provide for the location of said Sub-Agricultural Experiment Station for Horticultural Research; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower County Boards of Revenue, County Commissioners, or other governing bodies having similar jurisdiction in the several counties comprising the Chilton County Horticultural Area; individuals, firms, organizations, corporations, companies, or municipalities to make donations and appropriations for the purchase of land and equipment for the said Sub-Agricultural Experiment Station for Horticultural Research; and to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

AMENDMENT BY WAYS AND MEANS COMMITTEE H. 316

Amend Section 4 of H. 316 by striking therefrom the words "State Treasury" in the clause following the ; in the last sentence thereof and insert in lieu thereof the words "Special Educational Trust Fund".

And the amendment was adopted.

Yeas 74; Nays 2.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Duffee | Leonard | Richardson |
| Adams (Dale) | Dumas | Lovelace | Roberts |
| Adams (Jefferson) | Dyar | McClendon | Sellers |
| Barnett | Evans | McDonald | Shelton |
| Beatty | Faulk | McIlwain | Shirley |
| Benford | Frasier | Mason | Sightler |
| Bennett | Ganey | Mathison | Snodgrass |
| Black | Garrett | Meeks | Taylor (Autauga) |
| Brannan | Givhan | Merrill | Taylor (Hale) |
| Brassell | Harris | Miller | Thagard |
| Brown | Harrison | Molette | Thompson (Pike) |
| Buckner | Haynes (Franklin) | Nelson | Wallace |
| Busby | Haynes (Lowndes) | Nettles | Ward |
| Callahan | Hornsby | O'Neal | Weaver |
| Coburn | Howell | Pinkston | Whitcomb |
| Cole | Inzer | Pinson | White (Covington) |
| Crocker | Johnston | Pruitt | Wood (Bibb) |
| Dobbs (Elmore) | Kaul | Ramey | Wood (Washington) |
| Doughty | Larkins | | |

—74

Nays: Messrs. Gillis and Stone.

—2

And said bill, H. 316, as thus amended by the amendment reported by the Standing Committee on **Ways and Means**, was read **a third time at length** and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 2.

Yeas:

| | | | |
|-------------------|-------------------|-----------|-------------------|
| Mr. Speaker | Duffee | Leonard | Richardson |
| Adams (Dale) | Dumas | Lovelace | Roberts |
| Adams (Jefferson) | Dyar | McClendon | Sellers |
| Barnett | Evans | McDonald | Shelton |
| Beatty | Faulk | McIlwain | Shirley |
| Benford | Frasier | Mason | Sightler |
| Bennett | Ganey | Mathison | Snodgrass |
| Black | Garrett | Meeks | Taylor (Autauga) |
| Brannan | Givhan | Merrill | Taylor (Hale) |
| Brassell | Harris | Miller | Thagard |
| Brown | Harrison | Molette | Thompson (Pike) |
| Buckner | Haynes (Franklin) | Nelson | Wallace |
| Busby | Haynes (Lowndes) | Nettles | Ward |
| Callahan | Hornsby | O'Neal | Weaver |
| Coburn | Howell | Pinkston | Whitcomb |
| Cole | Inzer | Pinson | White (Covington) |
| Crocker | Johnston | Pruitt | Wood (Bibb) |
| Dobbs (Elmore) | Kaul | Ramey | Wood (Washington) |
| Doughty | Larkins | | |

—74

Nays: Messrs. Gillis and Stone.

—2

And the bill:

(With substitute):

H. 510. To amend Section 743, 744 and 745 of Title 37, Code of Alabama 1940, relating to privilege or license tax of certain utilities.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

WAYS AND MEANS COMMITTEE SUBSTITUTE FOR H. 510

A BILL TO BE ENTITLED AN ACT

To repeal Section 743, Title 37, Code of Alabama 1940 and to amend Sections 744 and 745, Title 37, Code of Alabama 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 743, Title 37, Code of Alabama 1940 be and the same is amended so as to read as follows:

Section 743. Telegraph companies.—There may be levied and collected by the several towns and cities in the State from any telegraph company or companies, for the privilege of doing intra-state business within the municipal limits a privilege or license tax to be computed and based on the population of such cities as fixed by the last federal census; In municipalities having a population of one thousand people, or less than this number, seven dollars and fifty cents (\$7.50) per annum; in municipalities having a population of over one thousand, and not exceeding five thousand, thirty-seven dollars and fifty cents (\$37.50) per annum; in municipalities having a population of over five thousand, and not exceeding ten thousand, seventy-five dollars (75.00) per annum; in municipalities having a population of over ten thousand and not exceeding twenty-five thousand, one hundred and fifty dollars per annum; in municipalities having a population of over twenty-five thousand, and not exceeding fifty thousand, three hundred and seventy-five dollars (\$375.00) per annum; in municipalities having a population exceeding fifty thousand, seven hundred and fifty dollars (\$750.00) per annum; the license or privilege taxes above provided which shall be paid to the several towns and cities, according to population as above stated, shall be in lieu of all other license or privilege taxes required of said telegraph companies, by any municipal authority thereof.

Section 2. That Section 744, Title 37, Code of Alabama 1940 be and the same is hereby amended so as to read as follows:

Section 744. Telephone Companies.—The maximum amount of privilege or license tax which the several municipalities within

this state may annually assess and collect of person, operating telephone exchanges and long distance telephone lines in this state for the privilege of doing intrastate business within the limits of such municipalities, whether such persons are incorporated under the laws of this state or any other state is fixed as follows: In municipalities having not exceeding five hundred inhabitants, exchange license, fifteen dollars, long distance license, eight dollars; in municipalities having a population of more than five hundred and not exceeding one thousand, exchange license, thirty dollars, long distance license, eight dollars; in municipalities having a population of more than one thousand and not exceeding two thousand, exchange license, sixty dollars, long distance license, fifteen dollars; in municipalities having a population of more than two thousand and not exceeding three thousand, exchange license one hundred and five dollars, long distance license, twenty-seven dollars; in municipalities having a population of more than three thousand and not exceeding four thousand, exchange license one hundred and fifty dollars, long distance license, thirty-eight dollars; in municipalities having a population of more than four thousand and not exceeding five thousand, exchange license, two hundred and ten dollars, long distance license, fifty-three dollars; in municipalities having a population of more than five thousand and not exceeding six thousand, exchange license, two hundred and seventy **dollars, long distance license, sixty-eight dollars; in municipalities** having a population of more than six thousand and not exceeding seven thousand, exchange license, three hundred and thirty dollars, long distance license, eighty-three dollars; in municipalities having a population of more than seven thousand, and not exceeding eight thousand, exchange license, three hundred and ninety dollars, long distance, ninety-eight dollars; in municipalities having a population of more than eight thousand and not exceeding nine thousand, exchange license, four hundred and fifty dollars, long distance license, one hundred and thirteen dollars; in municipalities having a population of more than nine thousand and not exceeding ten thousand, exchange license, five hundred and ten dollars, long distance license, one hundred and twenty-eight dollars; in municipalities having a population of more than ten thousand and not exceeding eleven thousand, exchange license, five hundred and seventy dollars, long distance license, one hundred and forty-three dollars; in municipalities having a population of more than eleven thousand and not exceeding twelve thousand, exchange license, six hundred and thirty dollars, long distance license, one hundred and fifty-eight dollars; in municipalities having a population of more than twelve thousand and not exceeding thirteen thousand, exchange license, six hundred and ninety dollars, long distance license, one hundred and seventy-three dollars; in municipalities having a population of more than thirteen thousand and not exceeding fourteen thousand, exchange license, seven hundred and fifty dollars, long distance license, one hundred and eighty-eight dollars; in mu-

nicipalities having a population of more than fourteen thousand and not exceeding fifteen thousand, exchange license, eight hundred dollars, long distance license, two hundred and three dollars; in municipalities having a population of more than fifteen thousand and not exceeding sixteen thousand, exchange license, eight hundred and seventy dollars, long distance license, two hundred and ten dollars; in municipalities having a population of more than sixteen thousand and not exceeding seventeen thousand, exchange license, nine hundred and twenty dollars, long distance license, two hundred and thirty-three dollars; in municipalities having a population of more than seventeen thousand and not exceeding eighteen thousand, exchange license, nine hundred and ninety dollars, long distance license, two hundred and forty-eight dollars; in municipalities having a population of more than eighteen thousand and not exceeding nineteen thousand, exchange license, one thousand and fifty dollars, long distance license, two hundred and sixty-three dollars; in municipalities having a population of more than nineteen thousand and not exceeding twenty thousand, exchange license, one thousand one hundred and ten dollars, long distance license, two hundred and seventy-eight dollars; in municipalities having a population of more than twenty thousand and less than one hundred and seventy-five thousand, exchange license, one thousand one hundred and ten dollars for the first twenty thousand inhabitants and sixty dollars for each additional one thousand inhabitants or majority fraction thereof, up to one hundred and seventy-five thousand population; long distance license, two hundred and seventy-eight dollars for the first twenty thousand inhabitants, and fifteen dollars for each additional one thousand inhabitants, or majority fraction thereof, up to one hundred and seventy-five thousand population; in municipalities having a population of more than one hundred and seventy-five thousand, exchange license, twelve thousand dollars; long distance license, three thousand dollars. In arriving at the assessment of privilege or license tax which may be assessed and collected under this section, the population of the several cities and towns may be computed and based on the federal census next preceding the year for which such license is assessed, from year to year. Provided that if a municipality should be incorporated subsequent to any federal census the population shown in the charter of incorporation shall determine the amount of license due until the next federal census shall find and declare such population.

Section 3. That Section 745, Title 37, Code of Alabama 1940 be and the same is hereby amended so as to read as follows:

Section 745. Public utilities.—The maximum amount of privilege or license tax which the several municipalities within the state may annually assess and collect of persons, operating (electric, hydro-electric) street railroad, electric light and power companies, gas companies, water works companies, pipe line companies for transporting or carrying gas, oil, gasoline, water or other com-

modities, gas distributing companies whether by means of pipe lines of by tanks, drums, tubes, cylinders, or otherwise, heating companies or other public utility, incorporated under the laws of this state or any other state, or whether incorporated at all or not, except telephone and telegraph companies, railroad and sleeping car companies, and express companies which are otherwise licensed, shall not exceed three percent of the gross receipts of the business of such persons, in the municipality for the preceding year. Provided that this shall not affect any existing contract, between any municipality and any public utility operating therein, except those provisions of contracts which relate to the amount or basis of the license tax imposed by municipalities on such utilities.

And the substitute was adopted.

Yeas 76; Nays 3.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Kaul | Roberts |
| Adams (Dale) | Dumas | Larkins | Robinson |
| Adams (Jefferson) | Dyar | Lovell | Sellers |
| Barnett | Evans | McClendon | Shelton |
| Benford | Frasier | McDonald | Shirley |
| Bennett | Ganey | McGowin | Snodgrass |
| Black | Garrett | McIlwain | Stone |
| Brassell | Gibson | Mason | Sullivan |
| Brown | Gillis | Mathison | Taylor (Autauga) |
| Buckner | Givhan | Meeks | Taylor (Hale) |
| Busby | Hankins | Merrill | Thagard |
| Bush | Harrison | Miller | Thompson (Pike) |
| Callahan | Haynes (Franklin) | Nelson | Wallace |
| Coburn | Head | Nettles | Ward |
| Cole | Hornsby | Pinkston | Weaver |
| Cox | Howell | Pinson | Whitcomb |
| Denton | Ingalls | Pruitt | White (Covington) |
| Dobbs (Elmore) | Inzer | Ramey | Wood (Bibb) |
| Doughty | Johnston | Richardson | Wood (Washington) |

—76

Nays: Messrs. Molette, O'Neal, Sighler.

—3

And said bill, H. 510, as thus amended by the substitute reported by the Standing Committee on Ways and Means, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 3.

Yeas:

| | | | |
|-------------------|----------|----------------|-------------------|
| Mr. Speaker | Brown | Denton | Ganey |
| Adams (Dale) | Buckner | Dobbs (Elmore) | Garrett |
| Adams (Jefferson) | Busby | Doughty | Gibson |
| Barnett | Bush | Duffee | Gillis |
| Benford | Callahan | Dumas | Givhan |
| Bennett | Coburn | Dyar | Hankins |
| Black | Cole | Evans | Harrison |
| Brassell | Cox | Frasier | Haynes (Franklin) |

| | | | |
|-----------|----------|------------|-------------------|
| Head | McGowin | Pruitt | Taylor (Autauga) |
| Hornsby | McIlwain | Ramey | Taylor (Hale) |
| Howell | Mason | Richardson | Thagard |
| Ingalls | Mathison | Roberts | Thompson (Pike) |
| Inzer | Meeks | Robinson | Wallace |
| Johnston | Merrill | Sellers | Ward |
| Kaul | Miller | Shelton | Weaver |
| Larkins | Nelson | Shirley | Whitcomb |
| Lovelace | Nettles | Snodgrass | White (Covington) |
| McClendon | Pinkston | Stone | Wood (Bibb) |
| McDonald | Pinson | Sullivan | Wood (Washington) |

—76

Nays: Messrs. Molette, O'Neal, Sightler.

—3

And the bill:

H. 579. To amend Section 27 of Title 11 of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Evans | Lovelace | Roberts |
| Adams (Dale) | Ganey | McClendon | Robinson |
| Adams (Jefferson) | Gibson | McDonald | Sellers |
| Beatty | Gillis | McGowin | Shelton |
| Benford | Givhan | McIlwain | Shirley |
| Black | Hankins | Malone | Sightler |
| Brassell | Harris | Mason | Snodgrass |
| Brown | Harrison | Mathison | Stone |
| Buckner | Haynes (Franklin) | Meeks | Sullivan |
| Callahan | Haynes (Lowndes) | Merrill | Taylor (Autauga) |
| Coburn | Head | Miller | Taylor (Hale) |
| Cole | Hornsby | Molette | Thagard |
| Cox | Howell | Nelson | Thompson (Pike) |
| Crocker | Ingalls | Norman | Wallace |
| Denton | Inzer | O'Neal | Ward |
| Dobbs (Elmore) | Johnston | Pinkston | Weaver |
| Dobbs (Fayette) | Kaul | Pinson | Whitcomb |
| Duffee | Knight | Pruitt | White (Covington) |
| Dumas | Larkins | Ramey | Wood (Bibb) |
| Dyar | Leonard | Richardson | Wood (Washington) |

—80

RESOLUTION

The following resolution was introduced:

By Mr. Taylor (Autauga):

H.R. 57. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA as follows:

That the head of each department, office, board, institution, or agency of the State of Alabama be and is hereby requested to furnish this body with a list of all automobiles and station wagons owned and operated by his department, office, board, institution,

or agency, giving the name and address of each person to whom such automobile or station wagon is assigned or who is in control of or in possession of such automobile or station wagon.

That this information be furnished on or before July 29, 1947.

Be it further resolved that the Clerk of the House transmit to the head of each department, office, board, institution, or agency of the State of Alabama a copy of this resolution.

On motion of Mr. Taylor the rules were suspended and H.R. 57 was adopted.

And the bill:

(With substitute):

H. 628. To amend Section 95 of Title 47 of the Alabama Code of 1940.

Was taken up.

The motion of Mr. Harris to indefinitely postpone the bill, H. 628 and pending substitute reported by the Standing Committee on Ways and Means was adopted.

Yeas 49; Nays 36.

Yeas:

| | | | |
|----------------|-------------------|-----------------|-------------------|
| Mr. Speaker | Doughty | Kaul | Robinson |
| Adams (Dale) | Duffee | McClendon | Sellers |
| Beatty | Dyar | Malone | Shelton |
| Benford | Frasier | Mathison | Shirley |
| Bennett | Garrett | Molette | Snodgrass |
| Black | Hankins | Nelson | Stone |
| Buckner | Harris | Nettles | Taylor (Hale) |
| Bush | Harrison | Norman | Thompson (Pike) |
| Coburn | Haynes (Franklin) | O'Neal | Weaver |
| Cole | Haynes (Lowndes) | Pinson | Whitcomb |
| Cox | Hornsby | Ramey | White (Covington) |
| Denton | Howell | Richardson | Wood (Washington) |
| Dobbs (Elmore) | | | —49 |

Nays:

| | | | |
|-------------------|----------|----------|------------------|
| Messrs.: | Ganey | McIlwain | Sightler |
| Adams (Jefferson) | Gibson | Mason | Sullivan |
| Barnett | Gillis | Meeks | Taylor (Autauga) |
| Brannan | Head | Merrill | Thagard |
| Brassell | Ingalls | Miller | Thompson |
| Brown | Inzer | Pinkston | son (Crenshaw) |
| Callahan | Johnston | Pruitt | Wallace |
| Dobbs (Fayette) | Lovelace | Roberts | Ward |
| Dumas | McDonald | Sadler | Wood (Bibb) |
| Evans | McGowin | | —36 |

The motion of Mr. Stone to reconsider the vote by which the bill, H. 628, and pending substitute, was indefinitely postponed, was adopted.

H. 628 POSTPONED

On motion of Mr. Stone the bill, H. 628, and pending substitute reported by the Standing Committee on Ways and Means, was postponed until the next Legislative Day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 437. To establish an inferior court of record to be called the Bessemer Civil and Misdemeanor Court; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenures of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same.

By a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 31 Nays 0.

And said bill, as thus amended by the Executive Amendment was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 29 Nays 0

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith returned to the House.

J. E. Speight,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:45 A.M. on July 22, 1947.

H. 236

H. 464

H. 498

H. 499

H. 500

H. 513

H. 514

H. 515

H. 516

H. 519

H. 564

H. 568

H. 572

H. 573

H. 584

H. 586

H. 603

H. 604

H. 605

H. 608

H. 617

Delivered to the Governor at 3:20 P.M. on July 22, 1947.

H. 557

H. 558

H. 609

H.J.R. 53

H. 166

H. 229

R. T. Goodwyn, Jr.,
Clerk.

ADJOURNMENT

On motion of Mr. Harris, the House, in accordance with H.J.R. 55 heretofore adopted, adjourned until Thursday, July 24, 1947, at 9 o'clock, A.M.

NINETEENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, July 24, 1947

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Thomas G. Jones, Methodist Minister, retired.

ROLL CALL

On a call or the roll of the House, the following members answered to their names:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Duffee | Larkins | Roberts |
| Adams (Dale) | Dumas | Leonard | Sadler |
| Adams (Jefferson) | Dyar | Lovelace | Sellers |
| Barnett | Evans | McClendon | Shelton |
| Beatty | Faulk | McDonald | Shirley |
| Benford | Frasier | McGowin | Sightler |
| Bennett | Ganey | McIlwain | Snodgrass |
| Black | Garrett | Malone | Stewart |
| Brannan | George | Mathison | Still |
| Brassell | Gibson | Meeks | Stone |
| Broadwater | Gillis | Merrill | Sullivan |
| Brown | Givhan | Miller | Taylor (Autauga) |
| Buckner | Hankins | Mitchell | Taylor (Hale) |
| Busby | Harris | Molette | Thagard |
| Bush | Harrison | Nelson | Thomas |
| Callahan | Haynes (Franklin) | Nettles | Thompson |
| Cobb | Haynes (Lowndes) | Norman | son (Crenshaw) |
| Coburn | Head | O'Neal | Thompson (Pike) |
| Cole | Hornsby | Pinkston | Tucker |
| Cox | Howell | Pinson | Wallace |
| Crocker | Ingalis | Prigitt | Ward |
| Davis | Inzer | Ramey | Weaver |
| Denton | Johnston | Richardson | White (Covington) |
| Dobbs (Elmore) | Kaul | Roberts | Wood (Bibb) |
| Dobbs (Fayette) | Knight | Robinson | Wood (Washington) |
| Doughty | | | |

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighteenth legislative day and finds the same to be correct.

W. M. Beck,
Chairman.

On motion of Mr. Roberts, the reading at length of the Journal of the House for the eighteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the eighteenth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON EN-GROSSED AND ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Rules reports that it has examined the following House Bill and House Joint Resolution, to-wit:

H. 437. To establish an inferior court of record to be called the Bessemer Civil and Misdemeanor Court; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenures of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials **with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same.**

Also:

H.J.R. 49. Relative to expressing the sympathy of the Legislature of Alabama to the family of the Honorable A. H. Carmichael.

And finds same correctly enrolled.

W. M. Beck,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Beck, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolutions and ordered same returned to the House with a favorable report:

Rules Committee Resolution:

H.R. 58. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

That the following bills be made special, paramount and continuing orders of business for the Nineteenth Legislative Day:

H. 443, page 11

H. 508, page 18

H. 461, page 28

H. 248, page 27

H. 431, page 8

H. 371, page 10

H. 358, page 16

H. 449, page 12

S. 121, page 28

S. 21, page 48

S. 231, page 47

S. 125, page 34

H. 356, page 6

H. 277, page 43

H. 280, page 45

H. 281, page 46

H. 339, page 4

H. 535, page 19

H. 146, page 4

H. 148, page 4

H. 426, page 26

H. 296, page 6

And that the following bill be made special, paramount and continuing order of business for Tuesday, July 29th., 1947, as the fifth bill on the calendar: S. 66. And that H. 30 be made a special, paramount and continuing order of business for Tuesday, July 29th., 1947.

And H.R. 58 was adopted.

By Rules Committee:

H.J.R. 59. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that Senate Bills 76 and 77, relating

to Tuskegee Institute, be known as the Pinson, Bridges, Bush Bill.

And H.J.R. 59 was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Sadler:

H.R. 60. BE IT RESOLVED AS FOLLOWS: That the name of W. H. Sadler, Jr. be withdrawn as a co-sponsor of H.B. 689.

On motion of Mr. Sadler the rules were suspended and H. R. 60 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Henderson, Hardwick, Kendall and Clayton:

S. 122. To provide for a refund of a portion of the State tax paid on gasoline when the gasoline is used in propelling or operating tractors used exclusively for agricultural purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate standing committee as follows:

S. 122. Ways and Means

BILLS ON SECOND READING

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Messrs. Roberts and Wallace:

H. 698. To amend Section 122 of Title 51 of the Code of Alabama 1940.

By Mr. Hardwick:

S. 136. To amend Section 246, Title 28, Code of Alabama 1940.

By Mr. Hardwick:

S. 135. To amend Section 109, Title 10, Code of Alabama 1940.

By Mr. Harris:

H. 653. To provide that building permits issued by municipalities within the State of Alabama between Jan. 1, 1941 and May 1, 1941 shall be valid, and construction may be made pursuant to such permits even though such construction be in conflict with the terms of a zoning ordinance thereafter adopted by such municipality, where construction under such building permit was prevented by reason of the scarcity of labor or materials.

By Mr. Cater:

S. 28. To provide for the creation of liens on personal property and accounts receivable by agreement, to secure loans and advances and to provide for the recording of notice of such liens, their application, enforcement and discharge.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Mr. Langan (with amendment):

S. 104. To authorize and require the suspension of operator's license and registration certificate to operate a motor vehicle for conviction of certain offenses and until operator shall have filed proof of ability to respond in damages as a condition precedent to future licensing or registration; to require the several courts or clerks thereof to furnish to the director of public safety certified copies of judgments of conviction of operators of motor vehicles and of judgments which have been unpaid for thirty days, and to require the director in case of a non-resident to transmit a copy thereof to the appropriate officer in the state of such nonresident; to provide for the suspension of an operator's license and registration certificate upon failure to satisfy a judgment and to require the satisfaction of the judgment and filing of proof of ability to respond in damages as a condition precedent to future licensing or registration; to fix the terms and conditions under which judgments shall be regarded as satisfied and to authorize the payment of the same in installments; to relieve an operator or chauffeur of the necessity of giving proof in his own behalf; to provide for the application of the act to nonresidents; to describe the terms and conditions of insurance policies covering the operation of motor vehicles, to provide the method by which a nonresident may establish proof of ability to respond in damages and the methods by which proof of responsibility may be given, to provide for the satisfaction of judgments therefrom and to authorize cancellation and return

of such proof; to authorize the director to furnish information relative to the record of an operator and proof of his ability to respond in damages; to provide for the return of license, registration certificate and number plates to the director; to prohibit the transfer of certificate of registration to defeat the purpose of this act; to except certain policies of automobile insurance from the terms of this act; to forbid the operation of motor vehicle not owned under policy covering vehicle owned; to define a motor vehicle liability policy, to provide additional requirements for the same and to authorize an insurance carrier to furnish a certificate of insurance; to authorize the director to make rules and regulations for the administration, and to provide penalties for violations of this act.

Mr. Merrill, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Messrs. Shelton and Callahan:

H. 631. To further regulate the use of voting machines and to authorize counties to enter into certain agreements in regard thereto.

Mr. White, Chairman of the Standing Committee on Education, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Ingalls:

H. 490. To amend Section 4 of Title 12 of the 1940 Code of Alabama.

By Mr. Hooton:

S. 106. To repeal Sections 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, and 613 of Title 52 of the Code of Alabama 1940:

Mr. White, Chairman of the Standing Committee on Education, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Mr. Hooton (with amendment):

S. 107. To establish a correctional and educational institution under the name and style of "Alabama Industrial School for Negro Children"; to provide for the government and control of the Alabama Industrial School for Negro Children by a board of trustees; to provide for the membership of said board; to provide that the present board of trustees shall remain as members of the board; to provide for the time of meeting of said board; to provide for the expenses of the members of the board; to provide for the appointment and qualifications and compensation of a superintendent of the Alabama Industrial School for Negro Children and the officers serving under him; to provide that the board shall fix minimum

standards of service and personnel, set salary schedules; to provide for the qualifications and employment of other personnel; to provide the duties of the superintendent; to provide for the method of admission to, age, custody, and time of stay in school, discharge, parole, transfer, and escapes of children in the Alabama Industrial School for Negro Children; to provide the method of discipline of children; to provide the classification and education of children under care; to provide the duties of the State Department of Public Welfare in relation to the Alabama Industrial School for Negro Children; to provide for the transportation of children committed to and discharged from the Alabama Industrial School for Negro Children; to provide for the execution of a bond by the superintendent and treasurer; to provide for the removal of the Alabama Industrial School for Negro Children and the sale of property subject to the action of the board and the approval of the Governor; to provide for the acceptance of donations of land, buildings, personal property, and money donated for the use of the Alabama Industrial School for Negro Children; to provide for the conviction and fining of any person interfering with any person in charge of a child committed to the Alabama Industrial School for Negro Children or for the conviction and punishment of any person persuading, coercing, inducing, or assisting in any manner any child who has been committed to the care of the Alabama Industrial School for Negro Children, to leave without the consent of the superintendent or some person in charge.

Mr. White, Chairman of the Standing Committee on Education, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

By Mr. Wallace (with substitute):

H. 156. To provide for educational benefits to children and widows of deceased veterans of World War II; to provide for educational benefits for the children, wives and veterans of World War II who are suffering from a 40% or more service-connected disability; to provide educational benefits for the children of the veterans of World War II whose gross income does not exceed \$2,000 per annum; and to provide for correspondence and extension courses for veterans of World War II.

By Messrs. Beatty, Meeks, Dumas, and Adams (Jefferson) (with substitute):

H. 497. Providing for the regulation and licensing of private business schools and classes in the State of Alabama defining the schools and classes to be included under the Act, conferring duties upon the Board of Directors of the Alabama Association of Business Colleges, providing appropriations, fixing fees and responsibilities, prescribing manner of applying for such license, penalties for nonconformance, and providing for the right of appeal.

Mr. Ganey, Chairman of the Standing Committee on Health, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Mr. Howle:

S. 10. To amend Sections 107, 110, and 115 of Title 22 of the 1940 Code, which relate to the inoculation of dogs against rabies.

Mr. Pinkston, Chairman of the Standing Committee on Business and Labor, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Messrs. Nettles and Sadler:

H. 520. To provide for the assignment of accounts receivable; to make definitions of accounts receivable and other terms used in the Act; to provide the method of assignment of accounts receivable and the formalities and legalities with regard thereto; to provide for the filing with the Secretary of State of a written statement relating to the assignment of accounts receivable; to provide for the legal effect of the filing of such statement; to provide for the priorities between respective assignees, mortgages, creditors and other persons interested in the assigned accounts; to provide for the filing of further statements and renewal statements relating to the assignment of accounts receivable with the Secretary of State; to provide for the docketing, filing, recording, and administration of statements relating to accounts receivable; to provide with respect to the rights of assignees of accounts receivable who have filed a statement as provided in this Act; to provide with respect to the rights of the account debtor whose account has been assigned; to provide a right of action for assignees of accounts receivable against the assignor thereof and all parties whose rights are subordinate to such assignee with respect to the account receivable who receive payment from the account debtor or otherwise diminish the rights of the assignee of the account receivable under the assignment; to provide that no handling of merchandise returned or recovered by the assignor of the account receivable or the granting of credits, allowances or adjustments to the account debtor by the assignor of the account receivable shall invalidate the assignment of the account whether or not the assignee of the account receivable consent to or acquiesces in such acts; to provide with respect to the rights of the assignee of the account receivable with respect to the collection by the assignor of the account receivable for the account or benefit of the assignee; to provide the effect of this Act with respect to existing laws.

Mr. Brassell, Chairman of the Standing Committee on Local Government reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Lovelace:

H. 679. To Amend Section 484, Title 37, Code of 1940, Relating to the time for taking a municipal census.

By Mr. Boutwell:

S. 281. To ratify, confirm, approve and validate all contracts and policies of group life, health, accident and hospitalization insurance which have heretofore been issued to any municipal corporation, county, city or county board of education, or any state agency or institution of education, learning, training or correction or for the delinquent, insane, sick, deaf, dumb, blind, needy, juvenile or aged, for the benefit of its officers and employees; to ratify, confirm, approve and validate all acts done and premiums paid under such contracts and policies; to repeal all conflicting laws; to provide that the invalidity or unconstitutionality of any provision or application shall not affect other provisions or applications of the act; and to fix its effective date.

By Mr. Boutwell:

S. 280. To authorize and empower governing bodies of municipal corporations, counties, city and county boards of education, and state agencies or institutions of education, learning, training or correction, or for the delinquent, insane, sick, deaf, dumb, blind, needy, juvenile or aged to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance, or any one or more of them, for the benefit of such of its officers and employees as it may determine and who elect to accept same and authorize deductions from their compensation to pay premiums which are payable in whole or in part by such officer or employee; to provide for the plan of any such insurance; to provide for the payment of the premiums therefor; to authorize such governing body to pay out of public funds the whole or such part of the premium as it may determine; to declare the legislative intent; to provide that any return of premium shall be made to the governing body paying same; to authorize appropriations to carry out the provisions of the act; to repeal all conflicting laws; to provide that the invalidity or unconstitutionality of any provision or application shall not affect other provisions or applications of the act; and to fix its effective date.

By Mr. Langan:

S. 228. To promote education in this state by authorizing and empowering county governing bodies and the governing bodies of the municipalities in the State of Alabama to undertake research into the history of the State of Alabama, its several counties and municipalities, its coastline and boundaries, and of the territory included therein, its geological deposits, agricultural and marine data, its rivers, streams and harbors, its history from the earliest times and especially during the colonial period, A.D. 1539 to 1815, and such general historical data and information, and to effect the

completion and publication of official colonial records and other historical materials in the diffusion of knowledge in reference to the history and resources of the State of Alabama and its several counties and municipalities and the encouragement in general of historical work and research and to disseminate such information when obtained; to authorize county governing bodies and the governing bodies of municipalities to make appropriations of county funds and of municipal funds for such purpose; to empower county governing bodies and the governing bodies of municipalities to enter into contracts with persons, firms, corporations or associations to carry out the purposes of this act.

Mr. Bennett, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Hardwick:

S. 301. To amend Section 1 of Act No. 11, approved May 19, 1945 (Local Acts, 1945, page 8), which fixes the compensation, salaries, and allowances payable to the Sheriff of Houston County and the employees of his office.

By Mr. Hardwick:

S. 295. To propose an amendment to the Constitution of Alabama relating to the election of justices of the peace for Precinct 3 of Houston County.

The above and foregoing bill, S. 295, proposing an amendment to the Constitution, was read a second time at length and placed on the calendar.

By Mr. Hardwick:

S. 294. To abolish the Court of Common Pleas of Dothan, Alabama.

By Mr. Hardwick:

S. 293. To create and establish in Houston County, in lieu of the county court, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

By Mr. Hardwick:

S. 292. (a) To create and establish in the City of Dothan a Civil Service System effecting certain personnel whose compensation is now or may hereafter be payable, in full or in part, from the public funds of Dothan; (b) to create a Personnel Department consisting of a Citizens Supervisory Committee, a Personnel Board and a Personnel Director, for the supervision and administration of the system and department herein created; (c) to fix and define the powers and authority and to prescribe the duties of each; (d) to define the scope and extent of the operation of the

system and its powers and authority over the City of Dothan and its employees; (e) to provide for the payment of the expenses of the administration of this Act and the system and department created; (f) to provide for the adoption of reasonable Rules and Regulations; (g) to provide for the enforcement of the provisions of this Act and the Rules and Regulations adopted pursuant thereto and to provide penalties for their violation; (h) to authorize the discharge and suspension of employees; and (i) to repeal all laws and parts of laws and all ordinances and parts of ordinances in conflict with its provisions.

By Messrs. Meeks, Beatty, and Adams (Jefferson):

H. 701. To apply in, but only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; to fix, levy and to require the payment to such counties of a license tax, in addition to all other taxes or licenses now required by law, of two cents (\$.02) on each package of cigarettes sold, stored, or received, for the purpose of distribution to any person, firm, corporation, club, or association within such counties; to provide for the payment of said tax by the purchase and sale of stamps to be affixed to each said package of cigarettes sold or distributed in such counties; to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; to prescribe penalties and fix the punishment for the violation of any provisions of this act; and to repeal any existing ordinances or statutes in conflict with the provisions of this act and to provide the effective date of this act.

By Mr. Meeks, Beatty, Adams (Jefferson), and Sadler:

H. 689. To apply in, but only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require the payment to such counties of a license tax, in addition to all other taxes and licenses now required by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such counties; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; to repeal any existing ordinances or statutes in conflict with the provisions of this act and to provide the effective date of this act.

By Mr. Langan:

S. 279. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Mobile County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure

thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purpose, and the payment of the salaries of such personnel.

By Mr. Denton:

H. 688. To amend an Act entitled "An Act To provide for the election of a county superintendent of education for Blount County, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officer."

By Mr. Harvey:

S. 305. To create and establish in Blount County, in lieu of the county court and the Inferior Court of Blount County, Alabama, as established by Act No. 461, approved July 17, 1931, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectible therein.

By Messrs. McGowin and Thagard:

H. 699. To provide that justices of the peace and notaries public ex officio justices of the peace in Precinct Twelve, Butler County, Alabama shall have territorial jurisdiction coextensive **with the limits of Butler County, Alabama.**

By Mr. Allen:

S. 306. To abolish the present Board of Revenue of Etowah County, and to create a new Board of Revenue in lieu thereof; to provide for election and terms of office of president and associate members, jurisdiction of the board, duties of president and associate members, supervision of roads and bridges, purchases for the County, public meetings of board, salaries of officers, and repeal of certain local acts.

By Messrs. Snodgrass and O'Neal:

H. 693. To change the corporate limits of the City of Scottsboro, Jackson County, Alabama.

Mr. Haynes (Franklin), Vice-Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Harris:

H. 566. To amend Section 1 of Act 183, approved June 18, 1943, entitled "An Act To Create a State Planning Board and to provide for the appointment, removal, term, and compensation of the members thereof; to fix the powers, authority, and duties of the board; to provide for the appointment of a director of the board and for the selection of employees; and to make an ap-

propriation for the maintenance and operation of the board", by making the State Auditor, Secretary of State, and State Treasurer members of the State Planning Board and providing for their compensation.

By Mr. Ingalls:

H. 696. To Amend Section 579, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

By Mr. Ingalls:

H. 695. To Amend Section 573, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

By Mr. Callahan:

H. 678. To amend Section 486, Title 51, Article 1, Chapter 20, Code of Alabama 1940, and Section 597, Title 51, Article 1, Chapter 20, Code of Alabama 1940.

By Messrs. Meeks, Adams (Jefferson), Kaul, Dumas, Sadler, Harris, Black, Gibson, Beatty, Buckner, and Merrill:

H. 320. To Amend Section 2, Title 51, Code of Alabama 1940, Relating to Exemptions from Ad Valorem Taxes of Certain Property and Persons.

By Messrs. Swift and Mize:

S. 202. To make an annual appropriation to provide a retirement benefit to any State employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee: and to provide a supplement to the retirement benefit of any state employee who had attained age 60 on October 1, 1945, and who is or will be retired under the provisions of Act 515, approved July 9, 1945 with a minimum of 15 years of service as a state employee, and who is not entitled under the provisions of said Act 515 to receive a retirement benefit in excess of \$60.00 per month: to set forth the requirements under which said retirement and supplemental benefits shall be granted: and to provide for the management of the fund appropriated by this act.

By Mr. Pinson:

H. 114. To make an additional appropriation to Tuskegee Institute, Tuskegee, Alabama, for the support and maintenance of graduate instruction in home economics, rural education, and agriculture and professional instruction in veterinary medicine and engineering.

By Mr. Harris:

H. 651. To require the licensing, inspection and regulation of all hospitals (except hospitals operated by the federal government), as herein defined, under the supervision of the State Board of

Health, with the advice of the Advisory Council, providing for regulations, enforcement procedures, penalties and appropriations; to repeal any existing ordinances or statutes in conflict with the provisions of this Act.

By Messrs. Mize, Burnside, Barrett, Hooton, and Cater:

S. 222. To make an annual appropriation to provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the teachers' retirement system, September 1, 1941, and who is not and never has been eligible for membership in the teachers' retirement system, and to provide a supplement to the retirement benefit of any teacher who is or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended by Act 61 approved June 1, 1943, and who is not entitled under the provisions of said chapter to receive a benefit in excess of \$50.00 per month; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund appropriated by this act.

Mr. Haynes (Franklin), Vice Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with amendment without recommendation:

By Messrs. Thompson (Crenshaw), and Miller (with amendment) (without recommendation):

H. 425. To levy a tax of ten per cent upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, providing for the manner of collection and the use of the proceeds thereof.

Mr. Haynes (Franklin), Vice Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

By Messrs. Beatty and Gibson (with amendment):

H. 393. Making provisions for Community Property Law; providing that the Act shall apply to husbands and wives and their property subsequent to the effective date of the Act; defining separate property and the community property of the husband and wife; providing for the management, control and disposition thereof, including the homestead; defining the ownership of funds on deposit in any bank or banking institution; providing for the rights and remedies of creditors; providing that either spouse may give or convey his or her community property to the other; providing for disposition of community property on dissolution of marriage; providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management, control and disposition of community property;

providing for the administration and distribution of the interests of a deceased spouse in community property.

By Messrs. Meeks, Gibson, Miller, and Sullivan (with amendment):

H. 347. To amend Section 15 of Title 51 of the 1940 Code.

By Mr. Meeks (with amendment):

H. 145. To amend Section 9 of Title 22 of the 1940 Code of Alabama, as amended July 7, 1943 (Relating to the salary of the State Health Officer.)

Mr. Haynes (Franklin), Vice Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

By Mr. Callahan (with substitute):

H. 289. To amend Section 154 of Title 41 of the Code of Alabama of 1940, as amended by an Act of the Legislature of Alabama approved June 22, 1943.

By Mr. Lovelace (with substitute):

H. 580. To appropriate the sum of \$350,000.00 out of any monies in the State Treasury, not otherwise appropriated, to the Department of Corrections and Institutions for the purpose of erecting and constructing an adequate prison and sanitary sewerage system at Atmore, Alabama, and to provide that such erection and construction and the disbursement of funds therefor shall be with the approval of the Alabama Building Commission.

By Mr. Wallace (by request) (with substitute):

H. 386. To amend Section 267, Title 13, Code of Alabama of 1940, as amended by an Act of the Legislature of Alabama, approved July 10, 1943.

Mr. Kaul, Vice Chairman of the Standing Committee on Conservation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Adams (Jefferson):

H. 555. To prohibit the use of certain types of nets and seines in the public running waters of Alabama. To except from the operation of this Act certain fishing devices. To provide a penalty for the violation of the provision of this Act. To repeal all laws or parts of laws in conflict with this Act. To provide when this Act shall become effective, and for other purposes.

By Mr. Adams (Jefferson):

H. 590. To Amend Section 31 of Title 8 of the Code of Alabama of 1940. To Repeal Section 30 of Title 8 of the Code of Alabama of 1940.

By Messrs. Johnston and Brannan:

H. 697. To Amend Section 32 of Title 8 of the Code of Alabama of 1940.

By Messrs. Black and McDanal:

H. 661. To amend Section 79 of Title 8 of the 1940 Code of Alabama, which fixes the penalty for taking, catching, or killing fish by poisoning water or using explosive or other substances.

By Messrs. Black and McDanal:

H. 636. To provide that an informer's fee shall be paid for the furnishing of information leading to the conviction of any person, under the provisions of Section 79 of Title 8 of the 1940 Code of Alabama, for taking, catching, or killing or attempting to take, catch, or kill fish by poisoning the water in which they are found, or by the use of carbide, lime, or any explosive substance.

Mr. Kaul, Vice-Chairman of the Standing Committee on Conservation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

By Messrs. Adams (Jefferson) and Wood (Washington) (with amendment):

H. 626. To make it a misdemeanor to release a live fox upon the lands of another without written permission.

Mr. Garrett, Chairman of the Standing Committee on Agriculture, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

By Mr. Bennett:

H. 462. To amend Section 606 of Title 2 of the Code of Alabama of 1940.

The above and foregoing bills were severally read a second time and placed on the Calendar.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Mitchell (with notice and proof):

H. 702. To amend Sections 6 and 7 of the Act creating and establishing the Board of Revenue of Cherokee County, Alabama (Local Acts of 1939, p. 138).

Local Legislation.

Notice and Proof H. 702:

LEGAL NOTICE

A Bill To Be Entitled an Act:

To amend Sections 6 and 7 of the Act creating and establishing the Board of Revenue of Cherokee County, Alabama (Local Acts of 1939, p. 138).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 6 and 7 of the Act creating and establishing the Board of Revenue of Cherokee County, Alabama, (Local Acts of 1939, p. 138) are amended to read:

"Section 6. The compensation of each member of the Board of Revenue of Cherokee County, Alabama, shall be fifty dollars (\$50) per month, to be paid out of any money in the county treasury designated and set apart by the Board of Revenue or that purpose. The compensation herein provided shall be in full payment of all services performed by the members of the board, including their services as a board of review, except as provided in Section 7.

"Section 7. The Board of Revenue shall do and perform all acts and services and exercise all power and authority required of or delegated to courts of county commissioners. A member of the board may serve as road foreman for the district from which he is elected or appointed, if he is elected to do so by a majority of the other members of the board. Any member who serves as road foreman shall devote his entire time to the performance of his duties. Such member's compensation for his services as road foreman shall be not less than fifty dollars (\$50) nor more than one hundred dollars (\$100) per month, the exact amount to be determined by a majority of the other members of the board, in addition to his salary. The Board of Revenue shall not provide for the payment of the salary of any commissioner serving as road foreman who does not faithfully perform his duties."

J. MONROE MITCHELL,
Representative Cherokee County.

12-4tc

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, G. S. Williamson, a Notary Public in and for said county in said state, personally appeared, Joseph M. Shawas who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of A Bill Entitled an Act as published in said newspaper once a week for 4 consecutive weeks, beginning on the 4 day of June, 1947; that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOSEPH M. SHAWAS.

Sworn to and subscribed before me this 5 day of July, 1947.

(SEAL) G. S. WILLIAMSON,
Notary Public.

By Mr. Stone (with notice and proof):

H. 703. To apply in Mobile County, Alabama, and requiring the payment to Mobile County, in addition to all other licenses and taxes required by law, of a license tax equal to two cents on each twelve fluid ounces or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, stored or taken out of storage within such County; to provide for the ascertainment, payment, collection and distribution of such license tax and the enforcement of this Act and to prescribe penalties and fix punishment for the violation of any of the provisions of this Act.

Local Legislation.

Notice and Proof H. 703:

LEGAL NOTICE

Notice is hereby given of intention to apply to the Legislature of Alabama convened in Regular Session in May, 1947, for the passage of a local bill applicable only to Mobile County, in substance as follows:

A BILL TO BE ENTITLED AN ACT

To apply in Mobile County, Alabama, and requiring the payment to Mobile County, in addition to all other licenses and taxes required by law, of a license tax equal to two cents on each twelve fluid ounces or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, stored or taken out of storage within such County; to provide for the ascertainment, payment, collection and distribution of such license tax and the enforcement of this Act and to prescribe penalties and fix punishment for the violation of any of the provisions of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section One: This Act shall apply only in Mobile County and shall not have the effect of altering or repealing in anywise any statute now in effect but shall be in addition to and cumulative of all laws now in effect.

Section Two: When used in this Act.—(a) The term "person" means and includes every natural person, firm, corporation, club, partnership, company, trustee, agency, or association, of any agent, servant, employee, or officer thereof, singular or plural. (b) The term "distributor" and the term "seller" each shall mean and include any person, as the word "person" is herein defined, who is engaged in the business of selling, distributing, delivering, storing, or taking out of storage, malt or brewed beverages, as the words "malt or brewed beverages" are herein defined, within the county; provided, however, the terms "distributor" and "seller" shall not mean and include the Alabama Alcoholic Beverage Control Board nor the members, officers, or employees thereof while engaged in the performance of their duties under the Alabama Beverage Control Act, nor any liquor store or warehouse, established, operated and maintained by the said Alabama Alcoholic Beverage Control Board under said Act. (c) All words and phrases which are not hereinabove specifically defined, and which are defined in the Alabama Beverage Control Act, shall, unless the context hereof plainly shows a different meaning, be given the meaning ascribed to them in said

Alabama Beverage Control Act. For such purpose Section 1 of Title 29 of the 1940 Code of Alabama, except insofar as said Section may be in conflict with the definition herein prescribed, is hereby adopted and made a part of this Act as effectually as if herein set out in full.

Section Three: (a) Every distributor or seller of malt or brewed beverages shall, in addition to all other taxes and licenses now imposed by law, pay a license tax to Mobile County, and a license tax is hereby fixed and created which shall be a sum and amount equal to two cents on each twelve fluid ounces or fractional part thereof of malt or brewed beverages sold, distributed, delivered, stored, or taken out of storage within the county; provided, however, that where the additional license tax hereby required to be paid shall have been paid by a distributor or seller of malt or brewed beverages, such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on the same identical beverage; provided further, however, that any distributor or seller, in order to be exempt under this provision, shall first comply with the provisions of sub-section (b) of this section. (b) Any distributor, or seller of malt or brewed beverages, selling, distributing, delivering, storing, or taking out of storage malt or brewed beverages purchased from any other distributor or seller of malt or brewed beverages who has paid the license tax thereon as fixed in sub-section (a) of this section shall not be required to pay such license; provided, however, that in order to obtain such exemption such distributor or seller claiming such exemption must, on or before the 15th day of the first full month after the effective date hereof, and on or before the 15th day of each and every calendar month thereafter, file with the License Commissioner of the county, a written statement, sworn to and subscribed by such distributor or seller, claiming exemption, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the distributor, seller, or other person from whom purchased, received, or procured, and the brand of such malt or brewed beverages, the quantity of each brand of such malt or brewed beverages, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received, or procured, and the disposition thereof by such distributor or seller claiming the exemption; such statement to be made in form prescribed by the Licenes Inspector. (c) Each and every distributor or seller of malt or brewed beverages, except such as claim and obtain exemption under the provisions of subdivision (b) of this section, shall on or before the 15th day of the first full month after the effective date hereof, and on or before the 15th day of each and every month thereafter, file with the License Commissioner and License inspector of the county, on forms prescribed by the License Inspector, a written statement, sworn to and subscribed by such distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the distributor, seller or other person from whom purchased, received, or procured, the brand of such malt or brewed beverages, the quantity of each brand of such malt or brewed beverages, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received, or procured; and which also shall contain a detailed, itemized statement showing the name and address of each and every distributor, or seller, or other person, to whom any malt or brewed beverages are sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages, sold, distributed or delivered to each, the size and kind of containers to each brand of such malt or brewed beverages, and the date or dates on which sold, distributed or delivered; and any distributor or seller failing, refusing, or omitting to file such statements as herein prescribed shall be guilty of a misdemeanor, and each day that such default continues shall constitute a separate offense (d)

The license herein fixed and prescribed in sub-section (a) of this section shall and must be paid by each person against whom the same is levied, or who is liable or subject to such license under the provisions hereof, on or before the 15th day of each calendar month, at the time of filing the statement required by sub-section (c) of this section, which license shall be based on the sale, distribution, delivery, storage and taking out of storage of malt or brewed beverages, during the calendar month next preceding; and any person failing, refusing or omitting to pay such license within the time herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense, and in addition to the other penalties herein provided for, there shall be added to such license tax a penalty of twenty percentum of the amount thereof for such delinquency, said penalty to be paid to the License Inspector, and by him paid into the treasury of the county for use as hereinafter set out.

Section Four: It shall be unlawful for any distributor, or seller, or any person having no place of business within the county to make any sale, distribution, or delivery of malt or brewed beverages within the county without first having obtained a permit to do so from the License Commissioner of the county; and such person, distributor, or seller shall be liable for and subject to the license tax fixed and specified in Section 3 of this Act; provided, however, that nothing contained in this section or in any other part of this Act shall authorize any sale, distribution, or delivery of malt, or brewed beverages within the county if such sale, distribution, or delivery is prohibited by any other laws of this State.

Section Five: It shall be unlawful and shall constitute a misdemeanor for any distributor or seller to engage or to continue in business at such distributor or seller at any time when he is in default in the payment of the license tax required to be paid by this Act; and each day during which a distributor or seller, then in default of said license tax, shall engage in **such business shall constitute a separate offense.**

Section Six: None of the provisions of this Act shall apply to acts or transactions which constitute interstate commerce, nor shall any provision hereof apply to United States or other Government business.

Section Seven: It shall be unlawful for any person to act as agent, servant or employee for any distributor or seller who is delinquent in the payment of the license tax required by this Act to be paid, in engaging in or assisting in carrying on the business for which the distributor or seller is required to pay such license tax, and each day such agent, servant or employee shall engage in or assist in carrying on such business shall constitute a separate offense.

Section Eight: (a) It shall be the duty of any person subject to the license tax imposed by this Act to keep full and complete records of all purchases, sales, receipts, inventories and of all other matters from which the correct amount of license tax to which such person is subject may be ascertained; and in the event that such person shall discontinue his business, he shall not destroy or dispose of such records until he shall have given the License Commissioner and the License Inspector of the county thirty days notice in writing of his intent to destroy or dispose of such records. The failure of such person to keep such records, or his destruction or disposition of such records without giving such notice, shall constitute a misdemeanor.

(b) Upon demand by the License Commissioner or his authorized deputy, auditor or representative, or by the License Inspector of the county, it shall be the duty of any such person subject to the license tax imposed by this Act to furnish such demanding person, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination, during reasonable hours, at such person's place of business within the county, all books of accounts, invoices, papers, reports, memoranda, containing entries showing the amount of purchases, sales, receipts, inventories, and any other information from which the correct amount of license tax to which

such person is subject may be determined including exhibition of bank deposit books and bank statements; and any person failing or refusing to submit such records for such inspection and examination upon such demand, shall be guilty of a misdemeanor. (c) If any person subject to the provisions of this Act does not have in such person's control or possession, within the county, true and intelligible books of account, invoices, papers, reports or memoranda correctly showing the data and information necessary for determination of the correct amount of the license tax due, or if, having in such person's possession or under such person's control such books, invoices, papers, reports and memoranda, such person shall fail or refuse to submit and exhibit the same for inspection and examination as herein required, then, in either event, it shall be the duty of the License Inspector of the county to ascertain, from such information and data as he may reasonably obtain, the correct amount of license tax due from such person, and to assess the same against such person and to give such person notice of said assessment and to demand of such person immediate payment of the amount of such license tax if the amount of the license tax so ascertained and demanded is not paid within 10 days after receipt of notice of the assessment and demand for payment thereof, then, so long as said amount remains unpaid it shall be unlawful, and shall constitute a misdemeanor, for the person to engage in business as a distributor or seller, and each day's engagement in such business shall constitute a separate offense. (d) It shall be unlawful for any person connected with the administration of this Act to divulge any information obtained by him in the course of the inspection and examination of the books, invoices, reports, papers, or memoranda of the license taxpayer made pursuant to the provisions hereof, except to a person thereunto duly authorized by the governing body of a municipality of such county or to the License Commissioner, the county attorney, the License Inspector or others connected with the administration of this Act, or unless required under proceedings or orders of any competent court.

Section Nine: It shall be unlawful for any person to knowingly or willfully make or exhibit any false written affidavit, certificate or statement as to the amount of stock on hand or volume of gross receipts, revenues or business done, or as to any other fact, and to file such affidavit or statement with or exhibit the same to the License Commissioner, the License Inspector, or any employee of the county for the purpose of defrauding the county by avoiding the payment of the license tax required to be paid by this Act.

Section 10. The license tax required to be paid by this Act shall be paid to the License Commissioner who shall in turn pay the same to the County Treasurer. The County Treasurer shall, in turn, pay the same when received by him to the public body corporate, by whatever name called, which is entrusted and burdened with the operation, management and control of the public schools of Mobile County.

Section Eleven: Any person violating any of the provisions of this Act, shall, upon conviction, be punished by a fine or not more than five hundred dollars (\$500.00) and may also be sentenced to hard labor for the county for not exceeding six months, either or both. It shall be the duty of the License Commissioner to receive the License tax herein levied and to make distribution as herein provided. It shall be the duty of the License Inspector to enforce the provisions of this Act and to check the books, records, etc. of any such person subject to the license imposed by this Act, and to furnish the necessary report forms, for the person subject to the license tax imposed by this Act, on which to make his monthly report to the License Commissioner and License Inspector, the expense of furnishing said forms to be paid for out of the general treasury of the county.

Section Twelve: If, for any reason, any clause, sentence, sub-section or section, or provision of this Act, or the application thereof to any person or circumstance is held invalid or inoperative, the remainder of the Act and the application thereof to any other person and circumstances shall not be affected thereby.

Section Thirteen: This Act shall become effective ten days after its passage and approval by the Governor or its otherwise becoming a law and this Act shall apply to the sale, distribution, delivery, storage and taking from storage of malt or brewed beverages within the County on, from and after the effective date hereof.

Reg. June 10, 17, 24, July 1

William M. Curran being sworn, says that he is auditor of The Mobile Press and the Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register June 10, 17, 24, and July 1, 1947.

W. M. CURRAN.

Sworn to and subscribed before me this 1st day of July, 1947.

ALVIN A. JOHNSON,

Notary Public.

(SEAL)

By Messrs. Hornsby and Dobbs (Elmore) (with notice and proof):

H. 704. To Authorize the Erection at Tallassee, Alabama, of a Court House for the Use of the Tallassee Division of the Court of Common Pleas of Elmore County, Alabama, and for such Other Purposes for Which a County Public Building May Lawfully be Used, and to Equip the Same.

Local Legislation.

Notice and Proof H. 704:

NOTICE

Notice is hereby given of the intention to apply for the passage of a certain bill, when the Legislature of Alabama next convenes, the substance of which bill is as follows:

A BILL TO BE ENTITLED AN ACT

To Authorize the Erection at Tallassee, Alabama, of a Court House for the Use of the Tallassee Division of the Court of Common Pleas of Elmore County, Alabama, and for Such Other Purposes for Which a County Public Building May Lawfully Be Used, and to Equip the Same.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1. That the Court of County Commissioners of Elmore County, Alabama, may erect by contract, or otherwise, a Court House at Tallassee, Elmore County, Alabama, for the use of the Tallassee Division of the Court of Common Pleas of said County, and for such other purposes for which a County public building may lawfully be used.

2. Said building shall be of such character, dimensions and plan, as in the judgement of said Court of County Commissioners, will adequately provide quarters for the said Court of Common Pleas and for such other purposes for which a County public building may lawfully be used.

3. The said Governing Body of said County is further authorized to equip said building with lighting, plumbing and furniture.

4. This Act shall become effective upon its passage and approval.

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THE STATE OF ALABAMA
ELMORE COUNTY

Before me the undersigned authority personally appeared W. H. Golson, who by me first being duly sworn deposes and says that he is the Publisher of The Wetumpka Herald, a weekly newspaper published at Wetumpka, in Elmore County, Alabama, and the attacher notice A Bill to be Entitled an Act was published in said newspaper for 4 successive weeks towit: April 3, 10, 17, 24, 1947.

W. H. GOLSON.

Publisher of The Wetumpka Herald.

Sworn to and subscribed before me this the 6 day of May, 1947.

ELAINE PEAVY,
Notary Public.

(SEAL)

By Messrs. Buckner and Weaver:

H. 705. To provide for the validation of certain unfunded or floating debts of county of city boards of education.

Education.

By Mr. Adams (Jefferson):

H. 706. To provide that any County within the State of Alabama with a population of 400,000 inhabitants, or more according to the last or any subsequent Federal census, may fix, levy, and collect licenses and privilege taxes on any exhibition, trade, business, vocation, occupation or profession not prohibited by the Constitution or laws of the State, which may be engaged in or carried on in such Counties and where a business or privilege license tax is not presently required to be paid to the State of Alabama; to provide that such Counties in the State of Alabama shall have the power to fix the amount of the license, the time for which it is to run, not exceeding one year, and to provide penalties for doing business without such license, and to charge a fee of not exceeding Fifty Cents (50c) for issuing each such license; to provide for the revocation of such licenses, and for the term and transfer of such licenses; and to provide that it shall be unlawful to engage in business without such licenses; to provide the method and manner of collection of such license, and to provide that such licenses shall constitute a lien; to repeal all laws or parts of laws in conflict herein; and to provide the effective date of this act.

Local Legislation.

By Messrs. Ganey, Malone, Buckner, Weaver, Denton, Taylor (Autauga), Beatty, Sullivan, Harrison and Wood (Bibb):

H. 707. To amend Section 85 of Title 22 of the 1940 Code, which relates to the promulgation and enforcement of rules for the operation of food-handling establishments.

Health.

By Mr. Black (with notice and proof):

H. 708. To amend an act amending Sections 4 and 5 of an act entitled "An Act To Provide For The Election Of A County

Treasurer Of Walker County, Alabama By The Qualified Electors Of Said County And To Prescribe His Duties And Compensation."

Local Legislation.

Notice and Proof H. 708:

AN ACT

To amend an act amending Sections 4 and 5 of an act entitled "An Act To Provide For The Election Of A County Treasurer of Walker County, Alabama, By The Qualified Electors Of Said County And To Prescribe His Duties And Compensation."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1: That an act amending an act entitled "An Act to provide for th election of a County Treasurer of Walker County, Alabama, by the qualified electors of said county and to prescribe his duties and compensation, be amended by amending Section 4 of the original act to read as follows: Section 4: The County Treasurer of Walker County shall be paid an annual salary of \$3,000.00; said payments to be made out of the General Fund of said county in twelve equal monthly installments.

Section 2: Be it further enacted that said amending act be amended so that Section 2 of said amending act shall read as follows: Be it further enacted that Section 5 of said act be amended to read as follows: It shall be the duty of the County Treasurer to deposit all public funds in some bank in **Walker County, Alabama, which is accepted and recognized by the Board of Revenue of said county or other like governing body of said County, as a legal depository.** The County Treasurer shall arrange with said bank for the best obtainable interest on said deposits and the interest paid upon said deposits shall belong to Walker County and the Treasurer shall account for and be responsible for same. The County Treasurer shall assist the Board of Revenue or other like governing body of said County, in preparing its annual budget. The County Treasurer shall make between the 1st and the 10th of each month a duplicate monthly report showing all funds received by him the previous month and from what sources received, and showing all disbursements made by him and for what general purpose, and shall file one copy of the same with the Board of Revenue or like governing body and keep one copy of the same on file in his office which reports shall be public documents or records. The County Treasurer shall make a duplicate annual report showing in detail all monies received by him and from what sources and showing all disbursements by him and for what same was paid and in said annual report shall list and show all the indebtedness of the County as shown by his records whether bonds, warrants, or other indebtedness and shall designate for what the bond issue were made and for what the warrant issues were made and shall show the amount of interest each of said indebtedness bear, one copy to be filed with the Board of Revenue or like governing body and one copy to be kept on file by him, and each shall be public documents or records. It shall be the further duty of the County Treasurer of Walker County to audit the fee and commission reports each month of the Probate Judge, Sheriff, Circuit Clerk, Tax Collector and Tax Assessor and to keep a record of all the fees and commissions paid in to the County Treasurer to the credit of the respective office making such payments into the County Treasury; to approve for payment all salary warrants authorized by law to be paid to the above named officers and their office personnel and to keep a record of such payments and charge same against the cost of running or operating each of said respective officers named above and that the increased

compensation here allowed said Treasurer is in compensation for his added duties since said offices went on a salary.

That for approving the salary warrants for said County officers and their help, semi-monthly, and for keeping record of same, and for making reports, and for assistance in the various added duties the said Treasurer shall be allowed one clerk to be paid not more than \$400.00 annually out of the General Fund of Walker County, Alabama, and which said clerk shall be only a part time help and shall be employed only upon the authority or approval, first obtained in writing from the Chairman of the Board of Revenue of said County.

Section 3: All laws or parts of laws in conflict herewith are repealed and this amendatory act shall be effective on approval by the Governor, or its otherwise becoming law.

TRAVIS H. JOHNSON.

E7-3-4t

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Jerry Tubbs, Bookkeeper of the Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who, being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Mountain Eagle for 4 consecutive weeks, Namely: 7-3-47, 7-10-47, 7-17-47, 7-24-47.

THE MOUNTAIN EAGLE,
By JERRY TUBBS.

Sworn and subscribed to before me, this 24 day of July, 1947.

(SEAL)

FAY O'REAR,
Notary Public.

By Mr. Barnett:

H. 709. To appropriate the sum of \$10,000 to the Second Injury Trust Fund out of monies of the Treasury not otherwise appropriated to initiate the Second Injury Trust Fund established by House Bill 277 of the Regular Session of the 1947 Legislature; provided, that when said Fund shall have accumulated \$20,000 there shall be repaid therefrom to the General Fund of the State of Alabama the sum of \$10,000.

Ways and Means.

By Mr. Evans:

H. 710. To regulate conveyances which involve reservations or grants of the right to take oil, gas, and other minerals, as herein defined.

Judiciary.

By Mr. Black (with notice and proof):

H. 711. To amend Section 5 of "an act to create for Walker County, Alabama, the office of full time health officer: to provide for the election of such health officer and prescribe the term of office, duties, salary and expenses of such officer" as such section was amended by act approved February 14, 1919.

Local Legislation.

Notice and Proof H. 711:

NOTICE

Notice is given that at the present session of the Legislature of Alabama the following bill will be introduced for passage:

A BILL TO BE ENTITLED AN ACT

To amend Section 5 of "an act to create for Walker County, Alabama, the office of full time health officer; to provide for the election of such health officer and prescribe the term of office, duties, salary and expenses of such officer" as such section was amended by act approved February 14, 1919.

Be it enacted by the Legislature of Alabama that Section 5 of "an act to create for Walker County, Alabama, the office of full time health officer; to provide for the election of such health officer and prescribe the term of office duties, salary and expenses of such officer" approved September 17, 1915, as such section was amended by act approved February 14, 1919, be and the same hereby is further amended to read as follows:

Section 5. That the salary of the health officer of Walker County, Alabama, shall be \$4,800.00 a year; the same to be paid in monthly installments of equal amounts out of the general funds of Walker County, Alabama, and shall be a preferred claim against the county.

This the 20th day of June, 1947.

A. M. WALDROP.

STATE OF ALABAMA, COUNTY OF WALKER.

Before me, the undersigned authority in and for said State and County, this day personally appeared Jerry Tubbs, bookkeeper of The Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, and that a copy of the newspaper containing the first notice of sale was mailed to the mortgagor at last known address, who, being by be duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Mountain Eagle for 4 consecutive weeks, Namely: 6-27-47, 7-3-47, 7-10-47, 7-17-47.

THE MOUNTAIN EAGLE,

By JERRY TUBBS.

Sworn and subscribed to before me, this 21 day of July, 1947.

FAY O'REAR,

(SEAL)

Notary Public.

By Mr. Garrett:

H. 712. To amend Section 25, Title 42 of the Code of Alabama, 1940.

Judiciary.

By Mr. Barnett:

H. 713. To Amend Section 135, Title 10, Code of Alabama 1940, relating to Conventions or Associations who may establish Schools, Hospitals, Orphanages, etc.

Judiciary.

By Messrs. Black, Cole, Brassell, Givhan, Molette, Taylor (Autauga), Faulk, Malone, Nelson, Miller, Ramey, Roberts, Bush, Wallace, Martin, McDonald, Thomas, Leonard, Mathison, O'Neal, Doughty, Larkins, Adams (Dale), Haynes (Franklin), Merrill, Inzer, Harrison, Evans, Mitchell, Shirley, Thompson (Pike), Coburn and Buckner:

H. 714. To amend the title to an Act entitled "An Act to provide for a public corporation for the purposes of constructing or causing to be constructed public roads and bridges in this State and related purposes; to describe its powers and duties, and to provide for the raising of necessary funds for such purposes, and to provide for the payment of the cost of construction of such roads and bridges, and to authorize such corporation to borrow money and match Federal funds for public roads, bridges and highways constructed and to issue bonds, warrants, assignments, transfers, or securities, and to aid in the several counties of the State in negotiating or otherwise financing interest bearing warrants of such counties, secured by pledge of the proceeds of gasoline tax appropriations to the counties by the State, and to contract with counties, the State Highway Department of Alabama, or other agencies performing any of the functions thereof by whatever name it may be known, the Federal Emergency Administration of Public Works, and any other branch or agency of the Federal Government or other authorities, and persons, firms, or corporation; and to repeal Article 3, Chapter 2, Title 23, of the Code of Alabama 1940, Sections 112 and 124, inclusive" approved June 3, 1943, and constituting Act No. 112 of the General Acts of 1943, and to amend Sections 4, 6, 7, 10 and 12 of said act and to insert a new Section 5a in said Act, and to legalize acts and proceedings heretofore done and taken to create a corporation pursuant to said Act.

Transportation.

By Mr. Meeks:

H. 715. To amend Section 2 and Section 3 of an act entitled an act "To provide for appeals to the circuit court in counties having a population of four hundred thousand (400,000) or more according to the last or any subsequent Federal census, from the decision of the Board of Equalization in such counties; and to provide for the proceeding and procedure in the circuit court on such appeals, approved June 24, 1943 as amended by an act to amend Section 2 of an act entitled an act to provide for appeals to the circuit court in counties having a population of 400,000 or more according to the last or any subsequent Federal census, from the decision of the Board of Equalization in such counties; and to provide for the proceeding and procedure in the circuit court of appeals, approved July 6, 1945.

Local Legislation.

BILLS ON THIRD READING

H. 668. To alter the corporate limits of the Town of Maplesville, Chilton County, Alabama, and to rearrange and define the boundaries thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

| | | | |
|----------|------------------|------------|-------------------|
| Messrs.: | Dobbs (Elmore) | McClendon | Sellers |
| Barnett | Duffee | McDonald | Shirley |
| Beatty | Dyar | McGowin | Sightler |
| Benford | Ganey | McIlwain | Snodgrass |
| Black | Garrett | Mathison | Stone |
| Brannan | George | Merrill | Sullivan |
| Brassell | Gillis | Miller | Taylor (Autauga) |
| Brown | Givhan | Mitchell | Taylor (Hale) |
| Buckner | Hankins | Nelson | Thagard |
| Busby | Harrison | O'Neal | Thompson (Pike) |
| Bush | Haynes (Lowndes) | Pinson | Tucker |
| Callahan | Hornsby | Ramey | Ward |
| Coburn | Ingalls | Richardson | Weaver |
| Cole | Inzer | Roberts | White (Covington) |
| Cox | Johnston | Robinson | Wood (Bibb) |
| Denton | Kaul | Rogers | |

—61

And the bill:

H. 669. For the relief of W. R. Griffin and Graf Hart.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Messrs.: | Duffee | Inzer | Sellers |
| Adams (Dale) | Dyar | Johnston | Shirley |
| Adams (Jefferson) | Evans | Kaul | Sightler |
| Benford | Ganey | McClendon | Stone |
| Brannan | Garrett | McDonald | Sullivan |
| Brassell | George | Mathison | Taylor (Autauga) |
| Brown | Gibson | Meeks | Thompson (Crenshaw) |
| Buckner | Gillis | Merrill | Tucker |
| Busby | Givhan | Miller | Ward |
| Bush | Hankins | Mitchell | Weaver |
| Callahan | Harrison | Nelson | Whitcomb |
| Coburn | Haynes (Franklin) | Pinson | White (Covington) |
| Cole | Haynes (Lowndes) | Richardson | Wood (Bibb) |
| Cox | Howell | Roberts | |
| Denton | Ingalls | Robinson | |

—57

And the bill:

H. 663. To increase the compensation of the Judge of the Jefferson County Court of Misdemeanors; to invest said court with jurisdiction in bastardy proceedings; and to provide for the appointment and compensation of a special judge of said court at

times when the regular judge thereof is ill, disqualified or unable to serve.

Was taken up.

Mr. Gibson offered the following amendment to the bill, H. 663:

AMENDMENT TO HOUSE BILL, NO. 663

That house bill No. 663 be amended and the same is amended by deleting from Section 1 thereof the words "twelve hundred dollars", and by substituting therefor the words "nine hundred dollars".

And the amendment was adopted.

Ycas 65; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|---------------------|
| Messrs.: | Evans | Larkins | Sellers |
| Adams (Dale) | Faulk | Leonard | Shelton |
| Adams (Jefferson) | Ganey | McClendon | Shirley |
| Benford | Garrett | McDonald | Sightler |
| Brannan | George | McIlwain | Snodgrass |
| Brassell | Gibson | Mathison | Stone |
| Brown | Gillis | Meeks | Taylor (Autauga) |
| Buckner | Givhan | Merrill | Thompson (Crenshaw) |
| Busby | Hankins | Miller | Thompson (Pike) |
| Callahan | Harrison | Mitchell | Tucker |
| Coburn | Haynes (Lowndes) | Nelson | Wallace |
| Cole | Head | O'Neal | Ward |
| Cox | Hornsby | Pinson | Weaver |
| Denton | Howell | Richardson | White (Covington) |
| Dobbs (Elmore) | Ingalls | Roberts | Wood (Bibb) |
| Duffee | Inzer | Robinson | |
| Dyar | Johnston | Rogers | —65 |

And said bill, H. 663, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Messrs.: | Dobbs (Elmore) | Ingalls | Rogers |
| Adams (Dale) | Duffee | Inzer | Sellers |
| Adams (Jefferson) | Dyar | Johnston | Shelton |
| Benford | Evans | Leonard | Shirley |
| Black | Faulk | McClendon | Sightler |
| Brannan | Ganey | McDonald | Snodgrass |
| Brassell | Garrett | Mathison | Stone |
| Brown | George | Merrill | Taylor (Autauga) |
| Buckner | Gillis | Miller | Thompson (Pike) |
| Busby | Givhan | Mitchell | Tucker |
| Bush | Hankins | O'Neal | Wallace |
| Callahan | Harrison | Pinson | Ward |
| Coburn | Haynes (Franklin) | Richardson | Weaver |
| Cole | Haynes (Lowndes) | Roberts | White (Covington) |
| Cox | Hornsby | Robinson | Wood (Bibb) |
| Denton | Howell | | —61 |

And the bill:

S. 299. To amend Section 3 and 4 of an Act entitled "An Act To create the office of County Solicitor of Limestone County, Alabama, to provide for the election of such officer by the qualified voters of said county, to prescribe his powers, duties and qualifications, provide for his compensation, fix the term of his office, provide for his election, the time of the election of his successor and to repeal all general and local laws in conflict herewith so far as they relate to said county" approved June 26, 1931.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Messrs.: | Duffee | Ingalls | Rogers |
| Adams (Dale) | Dumas | Inzer | Sellers |
| Adams (Jefferson) | Dyar | Johnston | Shelton |
| Benford | Evans | Leonard | Shirley |
| Black | Faulk | McDonald | Sightler |
| Brannan | Garrett | McGowin | Snodgrass |
| Brassell | George | McIlwain | Stone |
| Brown | Gillis | Mathison | Sullivan |
| Buckner | Givhan | Merrill | Taylor (Autauga) |
| Busby | Hankins | Miller | Thompson (Pike) |
| Callahan | Harrison | Mitchell | Tucker |
| Coburn | Haynes (Franklin) | Nelson | Wallace |
| Cole | Haynes (Lowndes) | O'Neal | Ward |
| Cox | Head | Richardson | Weaver |
| Denton | Hornsby | Roberts | White (Covington) |
| Dobbs (Elmore) | Howell | Robinson | Wood (Bibb) |

—63

And the bill:

(With substitute):

H. 628. To amend Section 95 of Title 47 of the Alabama Code of 1940.

Which had been postponed from the previous Legislative Day, was again taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

JUDICIARY COMMITTEE SUBSTITUTE TO H. 628

A BILL TO BE ENTITLED AN ACT

To amend Section 95 of Title 47 of the Alabama Code of 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION ONE: Section 95 of Title 47 of the Alabama Code of 1940 shall be and the same is hereby amended so that the same shall read in words and figures as follows:

"Section 95. What Instruments Admitted to Record. All deeds, mortgages, deeds of trust, bills of sale, contracts or other documents purporting to convey any right, title, easement, or interest in any real estate or personal property, and all assignments of mortgages, deeds of trust or other securities for debt or extension agreements with reference thereto, when executed in accordance with the law, shall be admitted to record in the office of the Probate Judge of any county. Their filing for registration shall constitute notice of their contents.

This section shall not be construed as superseding or repealing any other laws effective in Alabama relative to the subject matter herein, but shall be construed to be cumulative.

Provided, that the Judge of Probate shall refuse to accept for probate or record any instrument, with the exception of wills, purporting to convey any interest in real property situated in such county, unless such instrument shall bear, on the first page thereof, a certificate, under oath, of the owner of such property shown to be conveyed that he or she is the owner of all or a portion of said property or some proprietary interest therein, and that such instrument was drafted by him or her; or, in the alternative, shall bear, on the first page thereof, a certificate which affirmatively shows that such instrument was drafted by a practicing attorney of the State. Provided, however, that the provisions of this paragraph shall not apply to any instruments which are dated prior to the effective date of this Act".

SECTION TWO: All laws and parts of laws in conflict herewith are hereby repealed.

SECTION THREE: This Act shall become effective thirty days after its passage and approval by the Governor or by its otherwise becoming a law.

And the substitute was adopted.

Yeas 68; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Messrs.: | Dyar | Johnston | Sellers |
| Adams (Dale) | Evans | Kaul | Shirley |
| Adams (Jefferson) | Faulk | McClendon | Sightler |
| Beatty | Garrett | McDonald | Snodgrass |
| Benford | George | McGowin | Stone |
| Brannan | Gibson | Mathison | Sullivan |
| Brassell | Gillis | Meeks | Taylor (Autauga) |
| Brown | Givhan | Merrill | Taylor (Hale) |
| Buckner | Hankins | Miller | Thagard |
| Busby | Harris | Mitchell | Thomas |
| Busin | Harrison | Molette | Thompson (Pike) |
| Callahan | Haynes (Franklin) | O'Neal | Tucker |
| Coburn | Haynes (Lowndes) | Pinson | Wallace |
| Cole | Head | Richardson | Ward |
| Cox | Hornsby | Roberts | Whitcomb |
| Denton | Ingalls | Robinson | White (Covington) |
| Dobbs (Elmore) | Inzer | Sadler | Wood (Bibb) |
| Duffee | | | |

Mr. Stone offered the following amendment to the bill, H. 628, as amended:

AMENDMENT TO HOUSE BILL 628 AS AMENDED BY MR. STONE

Amend H. 628 as amended as follows: By striking the words "on the first page thereof" whenever the same appear in said bill; and further amend said line by striking therefrom the word "dated" where the same appears in the last line of Section 1 of said bill and substituting therefor at said place the word "executed"; and further amend said bill by inserting a comma following the words "Provided, however", where the same appear in Section 1 of the bill and immediately following said comma insert the following words and figures:

"that in counties having a population of not less than 110,000 nor more than 400,000, according to the last or any subsequent Federal census."

And the amendment was adopted.

Yeas 49; Nays 10.

Yeas:

| | | | |
|-------------------|----------|-------------------|-------------------|
| Mr. Speaker | Dumas | Haynes (Franklin) | Sightler |
| Adams (Dale) | Dyar | Ingalls | Snodgrass |
| Adams (Jefferson) | Evans | Inzer | Stone |
| Barnett | Faulk | Johnston | Sullivan |
| Beatty | Frasier | Leonard | Taylor (Autauga) |
| Benford | Ganey | McClendon | Taylor (Hale) |
| Black | Garrett | McGowin | Thagard |
| Brannan | George | Meeks | Thomas |
| Brassell | Gibson | Molette | Tucker |
| Busby | Gillis | O'Neal | Ward |
| Callahan | Givhan | Richardson | White (Covington) |
| Cole | Harrison | Sadler | Wood (Bibb) |
| Cox | | | —49 |

Nays:

| | | | |
|----------|------------------|----------|----------|
| Messrs.: | Dobbs (Elmore) | Hornsby | Pinson |
| Bush | Hankins | Mathison | Whitcomb |
| Denton | Haynes (Lowndes) | Pinkston | —10 |

And said bill, H. 628, as thus amended, was read a third time at length and passed.

Yeas 53; Nays 6.

Yeas:

| | | | |
|-------------------|---------|----------|-------------------|
| Mr. Speaker | Coburn | Faulk | Haynes (Franklin) |
| Adams (Jefferson) | Cole | Ganey | Head |
| Benford | Cox | Garrett | Ingalls |
| Black | Doughty | George | Inzer |
| Brannan | Duffee | Gibson | Johnston |
| Buckner | Dumas | Gillis | Kaul |
| Busby | Dyar | Givhan | McClendon |
| Callahan | Evans | Harrison | McDonald |

| | | | |
|------------|-----------|------------------|-------------------|
| McGowin | Roberts | Sullivan | Tucker |
| Merrill | Sadler | Stone | Ward |
| Miller | Sellers | Taylor (Autauga) | Weaver |
| Molette | Sightler | Thagard | White (Covington) |
| O'Neal | Snodgrass | Thomas | Wood (Bibb) |
| Richardson | | | |

—53

Nays:

| | | | |
|----------------|------------------|----------|---------------|
| Messrs.: | Haynes (Lowndes) | Pinkston | Taylor (Hale) |
| Dobbs (Elmore) | Hornsby | Pinson | |

—6

And the bill:

(With substitute):

H. 265. To prohibit shooting, trapping, snaring, or capturing or attempting to shoot, trap, snare, or capture racoons north of United States highway number eighty in the State and to provide penalties for violation of this Act.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Conservation, said committee substitute being as follows:

CONSERVATION COMMITTEE SUBSTITUTE FOR HOUSE BILL
265

A BILL TO BE ENTITLED AN ACT

To regulate the shooting or taking by use of trap, or attempting to shoot or to take by use of trap, racoons in the State of Alabama, and to provide penalties for violation of the Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

§1. It is unlawful for any person to shoot or take by use of trap, or attempt to shoot or take by use of trap, a racoon in the State of Alabama. Provided, that this Act shall not apply to any person shooting or taking by use of trap a racoon within the curtilage of any farm house. Provided further, that this Act shall not apply to trapping for the purpose of transferring a racoon from one area to another area in the State of Alabama if the prior approval of the Director of Conservation has been obtained; however, trapping for the purpose of shipping or transporting a racoon from the State of Alabama shall be unlawful.

§2. Any person violating this Act is guilty of a misdemeanor and, upon a first conviction, shall be fined not less than ten dollars nor more than one hundred dollars, and, upon a second conviction, not less than twenty-five dollars nor more than one hundred dollars, and may also be imprisoned in the county jail for a period not exceeding six months.

§3. All laws or parts of laws which conflict with this Act are repealed.

§4. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law, and shall remain in effect for only four years thereafter.

On motion of Mr. Brassell, the bill, H. 265, and pending substitute, was indefinitely postponed.

Yeas 63; Nays 22.

Yeas:

| | | | |
|-----------------|------------------|------------|-------------------|
| Mr. Speaker | Dyar | McDonald | Sightler |
| Barnett | Evans | McGowin | Stone |
| Beatty | Garrett | McIlwain | Sullivan |
| Benford | George | Malone | Taylor (Hale) |
| Bennett | Gillis | Mathison | Thagard |
| Brassell | Givhan | Meeks | Thomas |
| Buckner | Hankins | Merrill | Thompson |
| Busby | Harris | Nelson | son (Crenshaw) |
| Busli | Harrison | Norman | Thompson (Pike) |
| Coburn | Haynes (Lowndes) | Pinson | Tucker |
| Cole | Howell | Ramey | Wallace |
| Denton | Johnston | Richardson | Ward |
| Dobbs (Elmore) | Larkins | Roberts | Weaver |
| Dobbs (Fayette) | Leonard | Robinson | Whitcomb |
| Doughty | Lovelace | Rogers | White (Covington) |
| Duffee | McClendon | Shirley | Wood (Bibb) |

—63

Nays:

| | | | |
|-------------------|-------------------|----------|------------------|
| Messrs.: | Dumas | Hornsby | Pinkston |
| Adams (Dale) | Faulk | Inzer | Sadler |
| Adams (Jefferson) | Ganey | Kaul | Sellers |
| Black | Gibson | Miller | Shelton |
| Callahan | Haynes (Franklin) | Mitchell | Taylor (Autauga) |
| Cox | Head | O'Neal | |

—22

RESOLUTION

The following resolution was introduced:

By Mr. Roberts:

H.J.R. 61. Whereas Representative Charles Pinkston of Montgomery, Alabama, and others invited the Legislature to a most excellent barbecue on Wednesday, July 23, 1947 and

Whereas, the members of the Legislature had an enjoyable meal and outing,

Now therefore be it resolved by the House, the Senate concurring, that the Legislature express its utmost thanks to Rep. Charles Pinkston and his associates for their very kind invitation and the excellent barbecue which was served.

On motion of Mr. Roberts the rules were suspended and H.J.R. 61 was adopted.

BILLS ON THIRD READING RESUMED

H. 657. To Authorize the Court of County commissioners of Pickens County, Alabama, or other Governing Bodies of said County, to pay a salary to a Deputy Sheriff, other than and in addition to the Chief Deputy Sheriff holding appointment from the Sheriff of a said County to pay a Salary to such other Deputy Sheriff of not more than \$200.00 a month to be paid by monthly installment out of the Treasury of the County upon the Warrant of the Court of County Commissioners or the governing body of the said County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Doughty | Leonard | Sellers |
| Adams (Dale) | Duffee | McClendon | Shelton |
| Adams (Jefferson) | Dumas | McDonald | Shirley |
| Barnett | Dyar | McIlwain | Stone |
| Beatty | Evans | Mathison | Sullivan |
| Benford | Faulk | Meeks | Taylor (Autauga) |
| Bennett | Ganey | Merrill | Taylor (Hale) |
| Black | Garrett | Miller | Thomas |
| Brannan | George | Mitchell | Thomp- |
| Brassell | Gillis | Nelson | son (Crenshaw) |
| Buckner | Harris | Pinkston | Thompson (Pike) |
| Busby | Harrison | Pinson | Tucker |
| Bush | Haynes (Lowndes) | Ramey | Wallace |
| Callahan | Head | Richardson | Ward |
| Coburn | Howell | Roberts | Weaver |
| Cole | Inzer | Robinson | Whitcomb |
| Cox | Johnston | Rogers | White (Covington) |
| Crocker | Larkins | Sadler | Wood (Bibb) |
| Denton | | | |

—72

And the bill:

(With substitute):

H. 443. To amend Section 388 of Title 51 of the 1940 Code of Alabama, as amended by Act No. 39, General Acts of 1945, page 45, approved May 28, 1945.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

SUBSTITUTE FOR H.B. 443 BY WAYS AND MEANS COMMITTEE

A BILL TO BE ENTITLED AN ACT

To amend Section 388 of Title 51 of the 1940 Code of Alabama, as amended by Act No. 39, General Acts of 1945, page 45, approved May 28, 1945.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 388 of Title 51 of the 1940 Code of Alabama, as amended by Act No. 39, General Acts of 1945, page 45, approved May 28, 1945 be and the same is hereby amended to read as follows: Section 388. Exemptions.—The following exemptions from income tax shall be allowed to every individual resident taxpayer: Dividends received on stocks of domestic corporations, including liquidating dividends paid from income of domestic corporations on which the corporation distributing such dividends has paid all income taxes due the State of Alabama in the current or prior tax years. Dividends on stocks of foreign corporations when it is shown to the satisfaction of the department of revenue that fifty per cent or more of the net income from which the dividends were declared was earned from sources within the State of Alabama and that the corporation declaring the dividends has paid all income taxes due the State of Alabama; amounts received as dividends from national banks or national banking associations, or from corporations engaged in the business of banking or financial business employing moneyed capital coming into competition with the business of national banks, and also net income realized by individuals and partnerships from time to time in the business of banking or of conducting a financial business **employing moneyed capital coming into competition with the business of national banks**, only during and for the periods during which such national banks, national banking associations, corporations, individuals, and partnerships are subject to an excise tax imposed by this state on or with respect to such income, and dividends paid by any such corporation, association, bank, individual or partnership out of income subject to such excise tax; in the case of a single person or a married person not living with husband or wife, a personal exemption of fifteen hundred dollars, or, in the case of a head of a family or a married person living with husband or wife, a personal exemption of three thousand dollars, but a husband and wife living together shall receive only one personal exemption of three thousand dollars against their aggregate income, and in case they make separate returns the personal exemption of three thousand dollars may be taken by either or divided between them; three hundred dollars for each person, other than husband or wife, dependent upon the taxpayer and over half of whose support, for the calendar year in which the taxable year for the taxpayer begins, was received from the taxpayer.

For the purposes of this section, "dependent" shall mean: A son or daughter of the tax payer or a descendant of either; a stepson or stepdaughter of the taxpayer; a brother, sister, stepbrother, or stepsister of the taxpayer; the father or mother of the taxpayer or an ancestor of either; a stepfather or stepmother of the taxpayer; a son or daughter of a brother or sister of the taxpayer; a brother or sister of the father or mother of the taxpayer; a son-in-law,

daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law of the taxpayer. As used in this paragraph, the terms "brother" and "sister" include a brother or sister by the half-blood. For the purposes of determining whether any of the foregoing relationships exist, a legally adopted child of a person shall be considered a child of such person by blood.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted:

Yeas 64; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|------------------|
| Mr. Speaker | Dobbs (Elmore) | Inzer | Roberts |
| Adams (Dale) | Duffee | Johnston | Robinson |
| Adams (Jefferson) | Dumas | Leonard | Sellers |
| Barnett | Dyar | Lovelace | Shelton |
| Beatty | Faulk | McClendon | Shirley |
| Benford | Ganey | McDonald | Stone |
| Bennett | George | McGowin | Sullivan |
| Black | Gibson | McIlwain | Taylor (Autauga) |
| Brannan | Gillis | Mathison | Taylor (Hale) |
| Brassell | Givhan | Meeks | Thagard |
| Buckner | Harris | Merrill | Thomas |
| Busby | Harrison | Miller | Tucker |
| Bush | Haynes (Franklin) | Mitchell | Ward |
| Coburn | Haynes (Lowndes) | Pinkston | Weaver |
| Cox | Head | Ramey | Whitcomb |
| Crocker | Howell | Richardson | Wood (Bibb) |

—64

And said bill, H. 443, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|----------|---------------------|
| Mr. Speaker | Duffee | Johnston | Shirley |
| Adams (Dale) | Dumas | Kaul | Sightler |
| Adams (Jefferson) | Dyar | Larkins | Stone |
| Barnett | Evans | Leonard | Sullivan |
| Beatty | Faulk | Lovelace | Taylor (Autauga) |
| Benford | Ganey | McDonald | Taylor (Hale) |
| Bennett | Gibson | McGowin | Thagard |
| Black | Gillis | Mathison | Thomas |
| Brannan | Givhan | Meeks | Thompson (Crenshaw) |
| Brassell | Hankins | Merrill | Tucker |
| Buckner | Harris | Miller | Ward |
| Busby | Harrison | Mitchell | Weaver |
| Coburn | Haynes (Franklin) | Ramey | Whitcomb |
| Cole | Haynes (Lowndes) | Roberts | White (Covington) |
| Cox | Head | Robinson | Wood (Bibb) |
| Crocker | Howell | Sellers | |
| Dobbs (Elmore) | Inzer | Shelton | |

—66

And the bill:

S. 238. To authorize the incorporation with respect to the several cities and towns in this state of public corporations for the purpose of owning and operating and contracting with others for the operation of athletic and recreational facilities; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporations, including the power of eminent domain and the power to issue revenue bonds and negotiable notes and to make mortgages as security for any thereof; to provide that any revenue bonds issued by such corporations shall be payable solely from the revenues derived from any such properties owned by them; to authorize the refunding of any such bonds; to provide that all bonds of such corporations shall be negotiable instruments; to provide that no such mortgages may be foreclosed but to authorize the appointment of receivers upon default therein; to exempt from taxation such corporations and their properties and income and their bonds and the income therefrom; to provide that such municipalities shall not be liable for any obligations or agreements of such corporations; to authorize the municipalities with respect to which such corporations are organized to convey to such corporations any properties of such municipalities acquired or used for like athletic and recreational purposes; to authorize such corporations and municipalities to contract with each other respecting any properties so conveyed; to provide that upon payment of all their bonds such corporations shall be dissolved and title to their properties shall vest in the municipalities with respect to which they are organized; to provide for the filing of the certificates of incorporation, of deeds to such corporations and of their mortgages and certificates of dissolution without the payment of any taxes; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Inzer | Sadler |
| Adams (Dale) | Dobbs (Fayette) | Johnston | Sellers |
| Adams (Jefferson) | Duffee | Leonard | Shelton |
| Barnett | Dumas | Lovelace | Shirley |
| Beatty | Dyar | McClendon | Sightler |
| Benford | Faulk | McDonald | Snodgrass |
| Bennett | Ganey | McGowin | Sullivan |
| Black | George | Mathison | Taylor (Autauga) |
| Brannan | Gibson | Meeks | Taylor (Hale) |
| Brassell | Gillis | Merrill | Thagard |
| Buckner | Givhan | Miller | Thomas |
| Busby | Hankins | Mitchell | Thompson (Pike) |
| Callahan | Harris | Molette | Ward |
| Coburn | Harrison | Nelson | Weaver |
| Cole | Haynes (Lowndes) | Ramey | Whitcomb |
| Cox | Head | Richardson | White (Covington) |
| Crocker | Hornsby | Roberts | Wood (Bibb) |
| Denton | Howell | Robinson | |

H. 508 INDEFINITELY POSTPONED

On motion of Mr. Roberts the bill, H. 508, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

(With substitute):

H. 248. Relating to livestock: prescribing certain powers and duties of the Department of Agriculture and Industries with respect to preventing, combatting and extirpating certain contagious, infections and communicable diseases of livestock; providing for the purchase, distribution and administration of anti-hog cholera serum and hog cholera virus and making an appropriation therefor.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

WAYS AND MEANS COMMITTEE SUBSTITUTE FOR H. 248
A BILL TO BE ENTITLED AN ACT

Relating to livestock: prescribing certain powers and duties of the Department of Agriculture and Industries with respect to preventing, combating and extirpating certain contagious, infections and communicable diseases of livestock; providing for the purchase, distribution and administration of anti-hog cholera serum, hog cholera virus and any other approved immunizing agent and making an appropriation therefor.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Department of Agriculture and Industries is hereby authorized and required to purchase anti-hog cholera serum, hog cholera virus and/or any other approved immunizing agent in such units as deemed advisable by said Department, at the lowest and best bid or bids, from one or more reliable manufacturers, producing a high-quality product.

Section 2. Except as provided in Section 4, the department shall distribute through employees of the Livestock Sanitary Division of the said Department, licenses veterinarians and others approved by the State Veterinarian, anti-hog cholera serum, hog cholera virus and other approved immunizing agent without cost thereof to any bona fide farmer who is an owner of swine in Alabama, making application therefor upon blanks to be furnished by said department and approved by the administrator of said serum and virus or other approved immunizing agent.

Section 3. Whenever said serum, virus and/or other approved immunizing agents are distributed without cost as provided in Sec-

tion 2, the administrator thereof shall identify each and every hog to which said serum and/or virus or any other approved immunizing agent are so administered, by means of a permanent ear identification without cost to the owner. The Livestock Sanitary Division of the department shall designate a permanent ear identification to be used in all cases for this purpose. It shall be unlawful for any person to administer said free serum and/or virus and/or other approved immunizing agent to any hog bearing said identification or to any hog known to said administrator to have been so identified. Provided, however, that any owner of swine in Alabama, who is unwilling to submit said swine to ear identification as provided in this Section and who is otherwise entitled to free distribution of said serum and virus and/or any other approved immunizing agent as provided in Section 2 shall be entitled to receive said serum and virus in the manner provided in Section 4.

Section 4. The Livestock Sanitary Division of the department shall distribute said serum, virus and/or any other approved immunizing agent at a price equal to all cost of the product, storage and distribution thereof to said department, to owners of hogs in Alabama for use on commercial and/or commercial garbage fed herds of hogs in Alabama and all other owners of hogs in Alabama who are not entitled to free distribution of said serum and virus under Section 2; provided, however, that whenever said **serum and/or virus and/or any other approved immunizing agent** are distributed as provided in this Section, said serum and/or virus and/or any other approved immunizing agent shall be applied for and distributed in the manner provided in Section 2.

Section 5. All moneys accruing from the sale of anti-hog cholera serum and hog cholera virus and/or any other approved immunizing agent as provided in this Section, shall be deposited in the State treasury to the credit of the Department of Agriculture and Industries in a fund to be known as the Serum Fund, which fund shall be used as a revolving fund for the further purchases and distribution of anti-hog cholera serum and hog cholera virus and/or any other approved immunizing agent as provided in this Section. The cost of inoculating shall fall on the owner.

Section 6. Penalty for fraudulent statements. Any person who knowingly makes any false representation for the purpose of securing any hog cholera serum, virus or other immunizing agent as provided herein will be guilty of a misdemeanor and shall be fined not less than \$50.00 or more than \$500.00 and shall forfeit his right to again secure any hog cholera serum, virus or other immunizing agent as provided herein.

Section 7. The sum of one hundred thousand dollars (\$100,000) is hereby appropriated annually, fifty thousand dollars (\$50,000) thereof out of the General Fund and fifty thousand dollars, (\$50,000) thereof out of the Agricultural Fund, for the purchase, storage and distribution of anti-hog cholera serum and hog

cholera virus and/or any other approved immunizing agent as provided herein.

Section 8. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 66; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | McClendon | Sightler |
| Adams (Dale) | Dobbs (Fayette) | Mathison | Snodgrass |
| Adams (Jefferson) | Duffee | Meeks | Stone |
| Beatty | Dumas | Merrill | Taylor (Autauga) |
| Benford | Dyar | Miller | Taylor (Hale) |
| Bennett | Faulk | Mitchell | Thagard |
| Black | Ganey | Nelson | Thomas |
| Brannan | George | Pinkston | Thomp- |
| Brassell | Givhan | Pinson | son (Crenshaw) |
| Buckner | Hankins | Pruitt | Thompson (Pike) |
| Busby | Harris | Ramey | Tucker |
| Callahan | Harrison | Richardson | Wallace |
| Coburn | Haynes (Franklin) | Roberts | Ward |
| Cole | Haynes (Lowndes) | Robinson | Weaver |
| Cox | Head | Sellers | Whitcomb |
| Crocker | Hornsby | Shelton | White (Covington) |
| Denton | Lovelace | Shirley | |

—66

Nays: Mr. Gibson.

—1

Mr. McGowin offered the following amendment to the bill, H. 248, as amended:

AMENDMENT TO H. 248 AS AMENDED BY MCGOWIN

Amend H. 248 as amended, Section 7 to read as follows:

"Section 7. The sum of one hundred thousand dollars (\$100,000.00) is appropriated for each of the fiscal years ending September 30, 1948 and September 30, 1949 from the Agriculture and Industries Fund, for the purchase, storage and distribution of anti-hog cholera serum and hog cholera virus and/or any other approved immunizing agent as provided herein."

On motion of Mr. Givhan the amendment of Mr. McGowin was laid upon the table.

Yeas 47; Nays 30

Yeas:

| | | | |
|--------------|--------|-----------------|---------|
| Mr. Speaker | Busby | Crocker | Evans |
| Adams (Dale) | Bush | Denton | Faulk |
| Beatty | Coburn | Dobbs (Elmore) | Frasier |
| Bennett | Cole | Dobbs (Fayette) | Ganey |
| Brassell | Cox | Dyar | Garrett |

| | | | |
|-------------------|-----------|------------------|-------------------|
| George | Larkins | Molette | Thagard |
| Givhan | McClendon | Ramey | Thomp- |
| Hankins | McIlwain | Roberts | son (Crenshaw) |
| Harrison | Mathison | Robinson | Thompson (Pike) |
| Haynes (Franklin) | Merrill | Shirley | Wallace |
| Head | Miller | Taylor (Autauga) | Whitcomb |
| Inzer | Mitchell | Taylor (Hale) | White (Covington) |

—47

Nays:

| | | | |
|-------------------|------------------|------------|-------------|
| Messrs.: | Gibson | McGowin | Snodgrass |
| Adams (Jefferson) | Gillis | Malone | Stone |
| Benford | Haynes (Lowndes) | Norman | Thomas |
| Brannan | Howell | O'Neal | Tucker |
| Brown | Johnston | Pinson | Ward |
| Buckner | Kaul | Richardson | Weaver |
| Duffee | Leonard | Sellers | Wood (Bibb) |
| Dumas | McDonald | Shelton | |

—30

And said bill, H. 248, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 8.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Johnston | Sadler |
| Adams (Dale) | Dobbs (Fayette) | Larkins | Sellers |
| Adams (Jefferson) | Duffee | Leonard | Shelton |
| Barnett | Dyar | McClendon | Shirley |
| Beatty | Evans | McDonald | Snodgrass |
| Benford | Faulk | McIlwain | Sullivan |
| Bennett | Ganey | Malone | Taylor (Autauga) |
| Black | Garrett | Mathison | Thagard |
| Brassell | George | Merrill | Thomas |
| Buckner | Givhan | Miller | Thomp- |
| Busby | Hankins | Mitchell | son (Crenshaw) |
| Bush | Harrison | Molette | Thompson (Pike) |
| Callahan | Haynes (Franklin) | Nelson | Wallace |
| Coburn | Haynes (Lowndes) | O'Neal | Ward |
| Cole | Head | Pinson | Weaver |
| Cox | Hornsby | Ramey | Whitcomb |
| Crocker | Howell | Richardson | White (Covington) |
| Denton | Inzer | Roberts | |

—70

Nays:

| | | | |
|----------|--------|---------|-------------|
| Messrs.: | Gillis | McGowin | Tucker |
| Dumas | Kaul | Stone | Wood (Bibb) |
| Gibson | | | |

—8

And the bill:

H. 431. To amend Section 22 of Title 34 of the 1940 Code, which relates to cruelty and nonsupport as grounds for divorce.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 1.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dumas | Lovelace | Sadler |
| Adams (Dale) | Dyar | McClendon | Sellers |
| Adams (Jefferson) | Evans | McDanal | Shelton |
| Barnett | Faulk | McDonald | Shirley |
| Beatty | Ganey | McGowin | Sightler |
| Benford | Garrett | McIlwain | Stone |
| Black | George | Malone | Sullivan |
| Brannan | Gibson | Mathison | Taylor (Autauga) |
| Brassell | Gillis | Merrill | Thagard |
| Brown | Givhan | Miller | Thomas |
| Buckner | Hankins | Mitchell | Thomp- |
| Busby | Harrison | Molette | son (Crenshaw) |
| Callahan | Haynes (Franklin) | Nelson | Thompson (Pike) |
| Coburn | Haynes (Lowndes) | Pinkston | Tucker |
| Cole | Head | Pinson | Ward |
| Cox | Howell | Pruitt | Weaver |
| Crocker | Inzer | Ramey | Whitcomb |
| Dobbs (Fayette) | Johnston | Richardson | White (Covington) |
| Doughty | Kaul | Roberts | Wood (Bibb) |
| Duffee | Leonard | Robinson | |

—78

Nays: Mr. Wallace.

—1

And the bill:
(With amendment):

H. 371. To authorize cities and towns of Alabama to impose a reasonable license tax in an amount within its discretion on the operation of certain vending machines, including music vending machines, and to regulate and control the location and use of music vending machines by refusal or revocation of privilege license; and to repeal license tax limitations as to amount that a municipality may charge.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

WAYS AND MEANS COMMITTEE AMENDMENT H. 371

Amend H. 371 by adding at the end of Section 1 thereof the following:

"Provided further, that in cases where vending machines, vending merchandise, are located in industrial plants or on private property for the use of employees, the person, firm, or corporation, operating such vending machines shall be entitled to an occupational license, the fee for which shall be based on a percentage of the gross receipts of the sale of such merchandise.

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Ganey | McDonald | Shelton |
| Adams (Jefferson) | Garrett | McGowin | Shirley |
| Beatty | George | Mathison | Sightler |
| Benford | Gibson | Meeks | Snodgrass |
| Black | Givhan | Merrill | Stone |
| Brassell | Hankins | Miller | Taylor (Autauga) |
| Buckner | Harris | Mitchell | Thagard |
| Busby | Harrison | Molette | Thomas |
| Callahan | Haynes (Franklin) | Nelson | Thompson |
| Cole | Haynes (Lowndes) | Norman | son (Crenshaw) |
| Cox | Head | Pruitt | Thompson (Pike) |
| Denton | Howell | Ramey | Wallace |
| Dobbs (Elmore) | Inzer | Richardson | Ward |
| Dobbs (Fayette) | Johnston | Roberts | Weaver |
| Duffee | Kaul | Robinson | Whitcomb |
| Dumas | Leonard | Sadler | White (Covington) |
| Dyar | Lovlace | Sellers | Wood (Bibb) |
| Faulk | McClendon | | |

—69

Mr. Gillis offered the following amendment to the bill, H. 371, as amended:

AMENDMENT BY MR. GILLIS

Amend H. 371 as amended by adding at the end of Sec. 1 of said bill the following:

"Provided they shall impose a license of \$250.00 on music machines".

On motion of Mr. Brassell the amendment offered by Mr. Gillis to the bill, H. 371, as amended, was laid upon the table.

And said bill, H. 371, as amended by the amendment reported by the Standing Committee on Ways and Means, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 2.

Yeas:

| | | | |
|-------------------|-------------------|------------------|------------|
| Mr. Speaker | Denton | Haynes (Lowndes) | Mitchell |
| Adams (Dale) | Dobbs (Elmore) | Head | Molette |
| Adams (Jefferson) | Dobbs (Fayette) | Howell | Nelson |
| Barnett | Duffee | Inzer | Norman |
| Beatty | Evans | Johnston | Pinkston |
| Benford | Faulk | Kaul | Pinson |
| Brassell | Ganey | Larkins | Pruitt |
| Brown | Garrett | Leonard | Ramey |
| Buckner | George | Lovlace | Richardson |
| Busby | Gibson | McClendon | Roberts |
| Bush | Givhan | McDonald | Sadler |
| Callahan | Hankins | McGowin | Sellers |
| Coburn | Harris | Meeks | Shelton |
| Cole | Harrison | Merrill | Shirley |
| Crocker | Haynes (Franklin) | Miller | Sightler |

| | | | |
|----------------------------------|-----------------|---------|-------------------|
| Snodgrass | Thomas | Wallace | Whitcomb |
| Stone | Thomp- | Ward | White (Covington) |
| Taylor (Hale) | son (Crenshaw) | Weaver | Wood (Bibb) |
| Thagard | Thompson (Pike) | | |
| Nays: Messrs. Gillis and Tucker. | | | |

—73

—2

H. 358 INDEFINITELY POSTPONED

On motion of Mr. Thompson (Crenshaw) the bill:

H. 358. An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same.

Was indefinitely postponed.

Yeas 47; Nays 30.

Yeas:

| | | | |
|--------------|-------------------|-----------|-------------------|
| Mr. Speaker | Denton | McClendon | Snodgrass |
| Adams (Dale) | Dobbs (Elmore) | McDonald | Taylor (Hale) |
| Barnett | Dyar | Mathison | Thagard |
| Benford | Garrett | Miller | Thomas |
| Brassell | George | Mitchell | Thomp- |
| Buckner | Hankins | Molette | son (Crenshaw) |
| Bush | Harris | Nelson | Thompson (Pike) |
| Callahan | Haynes (Franklin) | Norman | Wallace |
| Coburn | Hornsby | O'Neal | Ward |
| Cole | Larkins | Ramey | Weaver |
| Cox | Leonard | Robinson | Whitcomb |
| Crocker | Lovell | Shelton | White (Covington) |

—47

Nays:

| | | | |
|-------------------|----------|------------|------------------|
| Messrs.: | Faulk | McIlwain | Sellers |
| Adams (Jefferson) | Ganey | Malone | Shirley |
| Beatty | Gillis | Meeks | Stone |
| Brannan | Head | Pinson | Sullivan |
| Brown | Howell | Pruitt | Taylor (Autauga) |
| Dobbs (Fayette) | Inzer | Richardson | Tucker |
| Duffee | Johnston | Roberts | Wood (Bibb) |
| Dumas | Kaul | Sadler | |

—30

BILLS ON THIRD READING RESUMED

H. 449. To change the title of the Superintendent of Alabama Institute for Deaf and Blind from "Superintendent" of Alabama Institute for Deaf and Blind to "President" of Alabama Institute for Deaf and Blind; and to provide that such change in title shall not affect the authority, duties, compensation or term of office of such official.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|---------------------|
| Mr. Speaker | Ganey | McDonald | Sellers |
| Adams (Dale) | Garrett | McIlwain | Shelton |
| Adams (Jefferson) | George | Mathison | Shirley |
| Barnett | Gillis | Meeks | Sightler |
| Beatty | Givhan | Merrill | Snodgrass |
| Benford | Hankins | Miller | Stone |
| Brannan | Harris | Mitchell | Sullivan |
| Brassell | Harrison | Molette | Thagard |
| Buckner | Haynes (Franklin) | Nelson | Thomas |
| Callahan | Haynes (Lowndes) | Norman | Thompson (Crenshaw) |
| Coburn | Head | O'Neal | Thompson (Pike) |
| Cole | Hornsby | Pinkston | Tucker |
| Cox | Howell | Pinson | Wallace |
| Denton | Inzer | Pruitt | Ward |
| Dobbs (Elmore) | Johnston | Ramey | Weaver |
| Dobbs (Fayette) | Kaul | Richardson | Whitcomb |
| Duffee | Larkins | Roberts | White (Covington) |
| Dumas | Leonard | Robinson | Wood (Bibb) |
| Dyar | Lovelace | Sadler | |
| Faulk | McClendon | | |

—77

MOTION TO SUSPEND RULES LOST

The motion of Mr. Brown to suspend the rules and introduce a resolution was lost on account of not receiving a four-fifths vote of every member voting.

Yeas 58; Nays 17.

Yeas:

| | | | |
|-------------------|------------------|------------|------------------|
| Mr. Speaker | Doughty | Inzer | Robinson |
| Adams (Jefferson) | Duffee | Johnston | Sadler |
| Barnett | Dumas | Leonard | Sellers |
| Beatty | Dyar | McClendon | Shelton |
| Benford | Evans | McDonald | Shirley |
| Brannan | Faulk | Meeks | Stone |
| Brown | George | Merrill | Sullivan |
| Buckner | Gillis | Mitchell | Taylor (Autauga) |
| Busby | Givhan | Norman | Taylor (Hale) |
| Coburn | Hankins | O'Neal | Thagard |
| Cox | Harris | Pinkston | Tucker |
| Crocker | Harrison | Pinson | Ward |
| Denton | Haynes (Lowndes) | Ramey | Weaver |
| Dobbs (Elmore) | Head | Richardson | Whitcomb |
| Dobbs (Fayette) | Ingalls | | |

—58

Nays:

| | | | |
|--------------|-------------------|----------|---------------------|
| Messrs.: | Ganey | Lovelace | Thomas |
| Adams (Dale) | Garrett | Mathison | Thompson (Crenshaw) |
| Brassell | Haynes (Franklin) | Miller | Wallace |
| Callahan | Howell | Molette | |
| Cole | Larkins | Roberts | |

—17

MOTION TO RE-COMMIT BILLS

Mr. Stone moved to recommit the bills, H. 1, H. 595, H. 425 to the Standing Committee on Ways and Means.

MOTION TO ADJOURN LOST

The motion of Mr. Crocker to adjourn until 2:00 P.M. was lost.

Yeas 23; Nays 55.

Yeas:

| | | | |
|--------------|-----------------|-------------------|-------------------|
| Mr. Speaker | Crocker | Haynes (Franklin) | Mitchell |
| Adams (Dale) | Dobbs (Fayette) | Larkins | Pinkston |
| Barnett | Doughty | McClendon | Pinson |
| Buckner | Dyar | McDonald | Whitcomb |
| Busby | Evans | Mathison | White (Covington) |
| Callahan | Ganey | Meeks | |

—23

Nays:

| | | | |
|----------------|----------|------------|------------------|
| Messrs.: | Garrett | McGowin | Sellers |
| Beatty | George | McIlwain | Shelton |
| Benford | Gibson | Malone | Shirley |
| Black | Gillis | Merrill | Snodgrass |
| Brassell | Givhan | Miller | Stone |
| Bush | Hankins | Molette | Sullivan |
| Coburn | Harris | Nelson | Taylor (Autauga) |
| Cole | Harrison | Norman | Taylor (Hale) |
| Cox | Head | O'Neal | Thagard |
| Denton | Howell | Ramey | Thompson (Pike) |
| Dobbs (Elmore) | Inzer | Richardson | Tucker |
| Duffee | Johnston | Roberts | Ward |
| Dumas | Kaul | Robinson | Weaver |
| Faulk | Leonard | Sadler | Wood (Bibb) |

—55

CONSIDERATION OF MR. STONE'S MOTION RESUMED

On motion of Mr. Lovelace the motion of Mr. Stone to recommit the bills, H. 1, H. 595 and H. 425, was laid upon the table.

Yeas 56; Nays 25.

Yeas:

| | | | |
|--------------|-------------------|-----------|-------------------|
| Mr. Speaker | Denton | Howell | Richardson |
| Adams (Dale) | Dobbs (Elmore) | Larkins | Roberts |
| Barnett | Dobbs (Fayette) | Leonard | Robinson |
| Benford | Doughty | Lovelace | Snodgrass |
| Black | Dyar | McClendon | Taylor (Hale) |
| Brannan | Evans | McDonald | Thomas |
| Brassell | Frasier | Mathison | Thompson |
| Buckner | Ganey | Merrill | son (Crenshaw) |
| Busby | Garrett | Miller | Thompson (Lake) |
| Bush | George | Mitchell | Tucker |
| Callahan | Givhan | Nettles | Wallace |
| Coburn | Hankins | O'Neal | Weaver |
| Cole | Harris | Pinson | Whitcomb |
| Cox | Haynes (Franklin) | Ramey | White (Covington) |
| Crocker | | | |

—56

Nays:

| | | | |
|-------------------|----------|---------|-------------|
| Messrs.: | Gibson | McGowin | Shirley |
| Adams (Jefferson) | Gillis | Malone | Stone |
| Beatty | Harrison | Meeks | Sullivan |
| Brown | Head | Norman | Thagard |
| Duffee | Hornsby | Sadler | Ward |
| Dumas | Inzer | Sellers | Wood (Bibb) |
| Faulk | Kaul | | |

—25

MOTION TO RECONSIDER LAID ON TABLE

The motion of Mr. Miller to table his motion to reconsider the vote by which Mr. Lovelace's motion was passed, was adopted.

Yeas 54; Nays 25.

Yeas:

| | | | |
|--------------|-------------------|-----------|-------------------|
| Mr. Speaker | Dobbs (Elmore) | Leonard | Richardson |
| Adams (Dale) | Dobbs (Fayette) | Lovelace | Roberts |
| Barnett | Doughty | McClendon | Robinson |
| Beatty | Dyar | McDonald | Snodgrass |
| Benford | Evans | Malone | Taylor (Hale) |
| Black | Ganey | Mathison | Thomas |
| Brannan | Garrett | Merrill | Thomp- |
| Brassell | George | Miller | son (Crenshaw) |
| Buckner | Givhan | Mitchell | Thompson (Pike) |
| Busby | Hankins | Nettles | Tucker |
| Bush | Harris | O'Neal | Wallace |
| Callahan | Haynes (Franklin) | Pinson | Weaver |
| Coburn | Howell | Pruitt | White (Covington) |
| Cox | Larkins | Ramey | |

—54

Nays:

| | | | |
|-------------------|----------|----------|------------------|
| Messrs.: | Faulk | McIlwain | Shirley |
| Adams (Jefferson) | Gibson | Meeks | Taylor (Autauga) |
| Cole | Gillis | Molette | Thagard |
| Crocker | Harrison | Norman | Ward |
| Denton | Head | Sadler | Whitcomb |
| Duffee | Kaul | Sellers | Wood (Bibb) |
| Dumas | McGowin | | |

—25

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and send same herewith to the House for its consideration:

By Mr. Cater:

S.J.R. 36. BE IT RESOLVED BY THE SENATE, the House concurring, that S.B. 238 be known as the Cater-Roberts Bill.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Roberts the rules were suspended and S.J.R. 36 set out in the above and foregoing message from the Senate was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 61. Extending appreciation to the Legislature to Rep. Charles Pinkston for the excellent barbecue on Wednesday, July 23, 1947.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 318. To amend Section 298 of Title 52 of the 1940 Code, which relates to the minimum age at which children may enter public school.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. White (Covington), the House non-concurred in the Senate amendment to the bill, H. 318, said Senate amendment being as follows:

Amend House Bill #318 by striking the words January 1st, where they appear therein and inserting in lieu thereof the words January 15th.

On motion of Mr. White (Covington), a Committee of Conference was requested on the disagreement of the two houses on the Senate amendment to the bill, H. 318.

And the Speaker of the House namer as Committee of Conference on the part of the House: Messrs. White (Covington), Miller and Buckner.

MOTION TO RECONSIDER VOTE

The motion of Mr. White (Covington) to reconsider the vote by which the House non-concurred in the Senate amendment to the bill, H. 318, was adopted.

And on motion of Mr. White (Covington), the House concurred in and adopted the Senate amendment to the Bill, H. 318, said Senate amendment being as follows:

Amend House Bill #318 by striking the words January 1st, where they appear therein and inserting in lieu thereof the words January 15th.

Yeas 69; Nays 2.

Yeas:

| | | | |
|-------------------|-------------------|------------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | McClendon | Roberts |
| Adams (Dale) | Duffee | McDonald | Robinson |
| Adams (Jefferson) | Dyar | McGowin | Sadler |
| Barnett | Faulk | McIlwain | Shelton |
| Beatty | Frasier | Mathison | Snodgrass |
| Benford | Ganey | Meeks | Taylor (Autauga) |
| Bennett | Garrett | Merrill | Taylor (Hale) |
| Black | Gibson | Miller | Thagard |
| Brannan | Gillis | Mitchell | Thomas |
| Brassell | Hankins | Molette | Thomp- |
| Brown | Harrison | Nelson | son (Crenshaw) |
| Buckner | Haynes (Franklin) | Nettles | Thompson (Pike) |
| Busby | Haynes (Lowndes) | Norman | Tucker |
| Bush | Head | O'Neal | Wallace |
| Callahan | Hornsby | Pinson | Ward |
| Coburn | Inzer | Ramey | Weaver |
| Cole | Larkins | Richardson | White (Covington) |
| Denton | Lovelace | | |

—69

Nays: Messrs., Sellers, Wood (Bibb).

—2

BILLS ON THIRD READING RESUMED

S. 21. To provide additional supernumerary judges for the State, prescribing their duties and powers, fixing their compensation and tenure of office, and making an appropriation to pay their salaries.

Was read a third time at length and passed.

Yeas 50; Nays 15.

Yeas:

| | | | |
|-------------------|-----------------|----------|-------------------|
| Mr. Speaker | Dobbs (Fayette) | McGowin | Sellers |
| Adams (Dale) | Duffee | McIlwain | Shelton |
| Adams (Jefferson) | Dumas | Mathison | Snodgrass |
| Barnett | Frasier | Meeks | Taylor (Autauga) |
| Beatty | Gibson | Merrill | Taylor (Hale) |
| Benford | Givhan | Miller | Thagard |
| Bennett | Harris | Molette | Thomas |
| Brannan | Head | Nelson | Thomp- |
| Brassell | Howell | Nettles | son (Crenshaw) |
| Brown | Inzer | Pruitt | Tucker |
| Buckner | Larkins | Ramey | Wallace |
| Busby | Lovelace | Roberts | White (Covington) |
| Callahan | McClendon | Sadler | |

—50

Nays:

| | | | |
|----------|-------------------|------------|-----------------|
| Messrs.: | Garrett | Mitchell | Robinson |
| Black | Gillis | Norman | Shirley |
| Coburn | Harrison | O'Neal | Thompson (Pike) |
| Dyar | Haynes (Franklin) | Richardson | Weaver |

—15

And the bill:

S. 231. To authorize and provide for the payment of the sum of \$1800.00 out of any funds in the State Treasury to the credit of the Highway Patrol Fund for the relief of A. S. Logel, to reimburse him for hospital, doctor and medical bills, and for the permanent loss of the sight of his right eye, by reason of an accident occurring on the 19 day of March, 1944, while the said A. S. Logel was employed by the State of Alabama as a member of the State Highway Patrol, and while he was acting in the line and scope of his employment as a patrolman.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|-----------|---------------------|
| Mr. Speaker | Duffee | Larkins | Richardson |
| Adams (Dale) | Dumas | Leonard | Roberts |
| Adams (Jefferson) | Dyar | Lovelace | Robinson |
| Barnett | Faulk | McClendon | Sadler |
| Beatty | Ganey | McDonald | Sellers |
| Benford | Garrett | McGowin | Shelton |
| Bennett | Gibson | Mathison | Shirley |
| Brannan | Gillis | Meeks | Snodgrass |
| Brassell | Givhan | Miller | Taylor (Hale) |
| Buckner | Hankins | Mitchell | Thagard |
| Eusby | Harris | Molette | Thomas |
| Bush | Harrison | Nelson | Thompson (Crenshaw) |
| Callahan | Haynes (Franklin) | Nettles | Thompson (Pike) |
| Coburn | Haynes (Lowndes) | Norman | Tucker |
| Cole | Head | O'Neal | Wallace |
| Cox | Hornsby | Pinson | Ward |
| Denton | Howell | Pruitt | Wood (Bibb) |
| Dobbs (Fayette) | Inzer | Ramey | |

—71

And the bill:

S. 125. To provide for the orderly administration of public assistance, and to give the grand juries of the respective counties the right to examine and verify in their discretion the lists of recipients of public assistance within the respective counties and to prohibit the disclosure or private use of information made available by reason of this act.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

| | | | |
|--------------|-------------------|---------|---------|
| Mr. Speaker | Adams (Jefferson) | Benford | Black |
| Adams (Dale) | Beatty | Bennett | Brannan |

| | | | |
|-----------------|-------------------|------------|--------------------------|
| Buckner | Gillis | McIlwain | Robinson |
| Busby | Givhan | Malone | Sadler |
| Bush | Hankins | Mathison | Sellers |
| Callahan | Harris | Meeks | Shelton |
| Coburn | Harrison | Merrill | Shirley |
| Cole | Haynes (Franklin) | Miller | Snodgrass |
| Cox | Head | Mitchell | Taylor (Autauga) |
| Denton | Hornsby | Molette | Taylor (Hale) |
| Dobbs (Fayette) | Howell | Nelson | Thagard |
| Duffee | Inzer | Norman | Thomas |
| Dumas | Larkins | Pinson | Thomp- son (Crenshaw) |
| Dyar | Leonard | Pruitt | Thompson (Pike) |
| Faulk | McClendon | Ramey | Wallace |
| Ganey | McDonald | Richardson | Wood (Bibb) |
| Garrett | McGowin | Roberts | |
| Gibson | | | |

—68

And the bill:

H. 535. To authorize Courts of County Commissioners, Boards of Revenue, or other like governing bodies of all Counties to purchase war surplus materials, goods, wares, merchandise, machinery, tools or supplies that may be needful, useful or necessary in the construction, erection or maintenance of public roads and bridges, from the War Assets Administration, or from any other governmental agency of the United States or any person, firm, or corporation selling or disposing of said war surplus material without advertising or receiving competitive bids.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|-------------------|-------------------|------------|--------------------------|
| Mr. Speaker | Dobbs (Fayette) | Larkins | Roberts |
| Adams (Dale) | Dumas | Leonard | Robinson |
| Adams (Jefferson) | Dyar | McClendon | Sellers |
| Barnett | Faulk | McDonald | Shelton |
| Beatty | Ganey | McIlwain | Shirley |
| Benford | Garrett | Malone | Snodgrass |
| Black | Gillis | Meeks | Taylor (Autauga) |
| Brannan | Givhan | Merrill | Taylor (Hale) |
| Brown | Hankins | Miller | Thomas |
| Buckner | Harris | Mitchell | Thomp- son (Crenshaw) |
| Busby | Harrison | Molette | Thompson (Pike) |
| Bush | Haynes (Franklin) | O'Neal | Wallace |
| Callahan | Head | Pinson | Ward |
| Coburn | Howell | Pruitt | White (Covington) |
| Cox | Ingalls | Ramey | Wood (Bibb) |
| Denton | Inzer | Richardson | |

—63

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 202. To amend Section 666, Title 7, 1940 Code of Alabama relating to wages and salary of deceased employees.

J. E. Speight,
Secretary.

CERTIFICATE OF CLERK

To The House Of Representatives:

I hereby certify that the House Bill and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 9:35 A.M. on July 24, 1947.

H. 437

H.J.R. 49

R. T. Goodwyn, Jr.,
Clerk.

ADJOURNMENT

On motion of Mr. Wood, the House, in accordance with H.J.R. 55 heretofore adopted, adjourned until Tuesday, July 29, 1947, at 10 o'clock A.M.